

NIA CASE NO 08 OF 2023
(CNR –WBCS01-000546-2023
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta.
Cum Special Judge, Under NIA Act
City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order No.48 dated 27.01.2025

To-day is fixed for production of the accused persons and E/R of Warrant of Arrest against the accused person namely Panchanan Ghorai.

The accused persons namely (i) Manobrata Jana and (ii) Balai Charan Maity are produced before this Court from the J.C. in virtual mode.

Received one copy of report from the Superintendent of Presidency Correctional Home, Alipore, Kolkata-27 vide letter no.1229/AB dated 25.01.2025 with regard to production of the accused persons in virtual mode.

Let the same be kept with the record.

Ld. Counsel for the accused persons and the Ld. Special P.P. of NIA are present.

The accused persons are identified by the concerned Jail Authority and they expressed before this Court that they could see and hear the entire court proceedings without any technical glitch.

Received the unexecuted original warrant of arrest against the accused person namely Panchanan Ghorai along with a compliance report stating that the concerned executing Authority had been to the residence of the accused person namely Panchanan Ghorai to execute the warrant of arrest, but the warrant of arrest could not be executed as the accused person namely Panchanan Ghorai is not residing at his home and he is absconding after warrant of arrest was issued against him.

Ld. Spl. P.P of NIA by filing a petition stated that the CIO tried to execute the warrant of arrest against the accused person namely Panchanan Ghorai on three occasions, but he absconded and therefore Ld. Special P.P. prays for extension of time for execution of the warrant of arrest against the accused person namely Panchanan Ghorai.

Perused the report and the petition of the Prosecution.

Heard the submissions of Ld. Spl. P.P of NIA.

The prayer for extension of time for submission of report regarding execution of warrant of arrest against the accused person Panchanan Ghorai is hereby allowed.

Accordingly, re-issue the original warrant of arrest against the accused person namely Panchanan Ghorai after extension of time.

By filing a separate petition along with three sealed envelopes containing particulars of the Witnesses, Ld. Special P.P. for NIA submits that during investigation statements u/s 161 of Cr. P.C. of independent witnesses were recorded and the witnesses showed their concern regarding the threat to their life and the life of their family members as there is a big nexus

working in the area for procuring and selling of explosives materials illegally and so the witnesses entreated the CIO to keep their identity secret and therefore Ld. Special P.P. of NIA prays for passing order (s) i) to allow the NIA to declare the said witnesses as Protected Witness nos. "I", "J" and "K", ii) to pass such order directing to protect the identities and addresses of the Protected Witness nos. "I", "J" and "K" as secret until such time as this Court deems fit and proper in view of section 17 of the NIA Act, 2008 iii) to pass such order to all concerned to keep the identity of the Protected Witness nos. "I", "J" and "K" in the safe custody of the Court and no certified copies to be furnished to the accused persons or any other person other than the CIO until such period as this Court deem fit and proper in the interest of the safety and security of the witness.

Having heard the submission of the Ld. Special P.P. of NIA with regard to prayer for allowing the NIA to declare the said witnesses as Protected Witness nos. "I", "J" and "K" and for keeping their name and particulars confidential and considering the grounds assigned therein as well as for proper investigation of this case, prayer of NIA is allowed.

Let the three sealed envelopes containing the particulars of the witnesses declared as Protected Witness nos. "I", "J" and "K" by the NIA be kept with the record in sealed cover.

It transpires from the case record that the accused/petitioners allegedly in connivance with other co-accused persons procured huge quantity of explosives illegally in connivance with their group members with the motive of targeted killing of innocent civilians and terrorizing the people at large and such acts are prejudicial to the sovereignty and security of India and three persons have already died due to such bomb explosions.

It is revealed from the case record that the charge sheet being no. 7/2024 dated 04.07.2024 was filed on 04.07.2024.

I find that the Warrant of Arrest against the accused person namely Panchanan Ghorai issued by this court on 03.10.2024 is still not executed.

Accordingly, the case is adjourned for the ends of justice.

Accused persons namely (i) Manobrata Jana and (ii) Balai Charan Maity be remanded to J.C till 28.02.2025.

Fix **28.02.2025** for production of the accused persons and E/R of Warrant of Arrest against the accused person namely Panchanan Ghorai.

Let a copy of this order be sent to the I.O for information and necessary action.

D/C by me

Sd./-

Chief Judge,
City Sessions Court, Calcutta
Cum Judge Special Court, Calcutta
Under NIA Act.

Chief Judge,
City Sessions Court, Calcutta.
Cum Judge Special Court, Calcutta
Under NIA Act.

