

S.T. NO. 01(03) OF 2023  
SESSIONS CASE NO 76 OF 2011  
CNR-WBCS01-000653-2011  
Present: Sri Soumendra Nath Das  
Chief Judge, City Sessions Court, Calcutta  
J.O. CODE NO.WB01132

Order no. 08 dated 16.06.2023

To-day is fixed for production, appearance and awaiting further order from the Hon'ble High Court, Calcutta.

The Accused persons namely,

(A-1) Barun Sur,

(A-3) Bimal Mallick and

(A-4) Kalpana Maity

are produced from J.C.

The Accused person no.(A-2) Akhil Chandra Ghosh on Court Bail is present in Court by filing hazira.

Ld. Advocates for the Accused person nos.(A-1) to (A-4) in three sets are present.

Ld. Special P. P. is present.

A petition along with a net copy of order dated 16.05.2023 of Hon'ble High Court at Calcutta in connection with CRAN no.01 of 2023 in CRR 3079 of 2022 has been filed on behalf of the Accused person nos.(A-3) Bimal Mallick and (A-4) Kalpana Maity stating that Hon'ble High Court at Calcutta has been pleased to extend the interim order of stay earlier granted till 15.08.2023 and prayed for passing necessary order.

Copy served.

Let the same be kept with the record.

Perused the order dated 16.05.2023 wherein the Hon'ble High Court at Calcutta has been pleased to pass an order to the extent that "*Interim order of stay be extended till 15<sup>th</sup> August, 2023.*"

*The application is, thus, disposed of.*

*It is submitted by the learned Advocate for the petitioners that except the present petitioner other accused persons are in custody. Therefore, it is made clear that the order of stay does not restrict the petitioners in custody to move appropriate application for bail before the competent Court of law."*

Heard both sides.

In view of order of the Hon'ble High Court at Calcutta, case is adjourned for the ends of justice.

Another petition has been filed on behalf of the Accused person nos.(A-3) Bimal Mallick and (A-4) Kalpana Maity stating that the concerned Court vide order dated 10.03.2017 and 30.03.2017 directed the concerned Correctional Authority not to shift the accused persons of this case from one Correctional Home to another without permission of this Court. It is also

Continued.....

Continued order no.08 dated 16.06.2023

stated that in spite of order of the concerned Court, the above named accused persons have been transferred from one Correctional Home to another and therefore it is prayed that an order be passed to stop interfering in the proceedings of the Court and justice delivery system by the Correctional Homes and to start proceedings against the persons concerned.

Copy served.

Let the same be kept with the record.

At this juncture, Ld. Advocate for the accused no.(A-1) submits before this Court that the Hon'ble High Court at Calcutta has been pleased to clarify in order dated 16.05.2023 in CRAN no.01 of 2023 in CRR 3079 of 2022 that the order of stay does not restrict the petitioners in custody to move appropriate application for bail before the competent Court of law and prays for fixing a date for production of the accused no.(A-1) and hearing of the bail application dated 24.03.2023 filed on behalf of the accused no.(A-1).

Heard both sides.

On submission of both sides, fix **17.06.2023** for production of the accused no.(A-1) and hearing of the bail application dated 24.03.2023 filed on behalf of the accused no.(A-1).

Written objection, if any, in the meantime.

The accused no.(A-1) is remanded to J.C. till 17.06.2023.

Fix **21.08.2023** for production and appearance of the accused persons and awaiting further order from the Hon'ble High Court, Calcutta.

The Accused person nos.(**A-3**) and (**A-4**) are remanded to J.C. till 21.08.2023.

The Accused person no.(**A-2**), **Akhil Chandra Ghosh** is as before.

Let a copy of this order be sent to the I.O. of this case through concerned O/C with a direction to ensure production of the C.D. on the date fixed i.e.17.06.2023.

D/C by me:

Sd./-  
Chief Judge  
City Sessions Court  
Calcutta

Chief Judge  
City Sessions Court  
Calcutta