

Order No 71
Date 31.10.2017

Today is fixed for hearing of the petition and appearance of the accused person .
Accused person namely Netai Kundu on interim bail is present .

Ld PP and Ld defence counsels are present .

Petition dated 24.10.2017 filed by Ld counsel for accused person is taken up for hearing.

Ld counsel for accused person stated that as per direction of this court accused person made the I.O of this case at the A.C.B P.S . Ld counsel further stated that accused person has duly co-operated with the investigating officer of this case prior to arrest and also there is no adverse report against accused person. Ld counsel for accused person also stated that accused person is suffering from heart related ailment as such prayed to waive the condition impose upon the accused person.

On the other hand Ld PP raised objection and submits that appearance of the accused person before the I.O is very much require as the investigation of this case is progress. Considered the submissions made by the Ld defence counsel and Ld PP..

Record reveals that bail prayer of the accused was allowed on condition to remain present before I.O of this case thrice a week without fail until further order. It is revealed from the record that since then the accused is appearing before the A.C.B P.S as per direction of the court showing that the accused is complying with the orders of the court in all its spirits.

Under the circumstances , I am of the view that if the prayer of the accused Netai Kundu is allowed there will not be any prejudice caused to the prosecution case .

Thus , I am inclined to allow the prayer of the accused Netai Kundu but in part.

However, the accused is directed to meet with the I.O of this case once in a week and also directed to appear before this court on every date of hearing and he shall not remain absent without any cogent and justified grounds whatsoever.

Let a copy of this order be forwarded to the I.O of this case for information.

Fix 05.12.2017 for report of I.O in final form and appearance of the accused person . Accused as before .

D & C by me