

**NIA CASE NO. 02 OF 2020**

CNR-WBCS01-000705-2020

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.38 dated 21.09.2024

To-day is fixed for appearance of all the accused persons, production of the accused person namely Santosh Mahata by the concerned surety/sureties and consideration of charge.

Out of Seventeen accused persons, fifteen accused persons namely Badal Mahata, Chandra Sekhar Mahata, Mrinal Kanti Mahata, Bhudeb Mahata, Bidyut Singha, Arun Mahata, Ashok Mahata, Chittaranjan Samanta, Lakkhiram Hembramon, Bajinath Tudu, Sundar Mandi, Jayram Bera @ Jay Bera @ Jaydeb Bera, Sasadhar Dolui, Chhatradhar Mahata and Raju Adak on C.B. are present in Court by filing haziras.

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

The accused persons namely Santosh Mahata and Dilip Kumar Mahata on C.B. are found absent.

Ld. Advocate for accused person namely Dilip Kumar Mahata by filing a petition along with photocopies of medical papers stated that this accused person is unable to appear before this Court on the ground stated therein and therefore Ld. Counsel prays for condoning his absence with a further prayer to allow accused person to be represented through the Ld. Counsel u/s 317 of Cr. P.C.

Having heard the submissions of the both sides, the prayers for condoning his absence and also for representation of the accused person through the Ld. Counsel u/s 317 of Cr. P.C. are considered and allowed with a direction upon the accused person namely Dilip Kumar Mahata to remain present before this Court on the next date fixed positively i.d. necessary order.

None turns up on behalf of the accused person namely Santosh Mahata.

No step is taken on behalf of the accused person namely Santosh Mahata.

On perusal of the case record it transpires that vide order no.37 dated 04.09.2024 this Court directed the Ld. Additional Chief Judicial Magistrate, 2<sup>nd</sup> Court, Jhargram to instruct the surety/sureties to take necessary steps to ensure production of the accused person namely Santosh Mahata before this Court today positively i.d. necessary order.

It also reveals from the case record that the copy of order dated 04.09.2024 along with a copy of the bail bond furnished on behalf of the accused person namely Santosh Mahata was sent to the Ld. Additional Chief Judicial Magistrate, 2<sup>nd</sup> Court, Jhargram vide this Court's office process no.2767-cj dated 04.09.2024 for information.

Ld. Special P.P. of NIA submits that the accused person namely Santosh Mahata is neither present today, nor any step has been taken on behalf of the accused person and therefore Ld. Special P.P. of NIA prays for issuance of warrant of arrest against this accused person namely Santosh Mahata.

Heard Ld. Special P.P. of NIA.

Perused the case record wherefrom it transpires that the accused person namely Santosh Mahata did not appear before this Court on 04.09.2024 and also today the accused person namely Santosh Mahata is found absent on repeated calls in spite of direction upon the sureties to produce this accused person before this Court today positively.

In view of the above fact, cancel the bail bond in respect of the accused person namely Santosh Mahata.

Issue Warrant of Arrest against the accused person namely Santosh Mahata and start proceedings against the surety/sureties u/s 446 of the Cr. P.C.

Office is directed to issue warrant of arrest against the accused person namely Santosh Mahata.

Ld. Additional Chief Judicial Magistrate, 2<sup>nd</sup> Court, Jhargram is hereby directed to start proceedings u/s 446 of the Cr. P.C. against the sureties who stood as sureties on behalf of the accused person namely Santosh Mahata.

On submission of both sides, fix **27.11.2024** for appearance of all the accused persons and E/R of warrant of arrest against the accused person namely Santosh Mahata and further order.

Puja vacation intervenes from 09.10.2024 to 04.11.2024.

All the accused persons are directed to remain present on the next date fixed.

Let a copy of this order be sent to the I.O. of this case through the Ld. Special P.P. of NIA for information and necessary action.

D/C by me

Sd./-  
Chief Judge,  
City Sessions Court, Calcutta

Chief Judge,  
City Sessions Court, Calcutta.