

Order No 55  
Date 23.04.2018

Today is fixed for further evidence and appearance of the accused persons.

Accused persons namely Gourav Yadav, Raj Sonkar, Bablu Kr Bharati, Bablu Gupta and Sunil Yadav on interim bail are present.

Ld Pps and Ld defence counsels are present.

Witness namely Monoj Bhatra(Pw 7) is further examined in chief in full. Letter address to O/C Hare Street Ps, Agreement are marked as exts 6 and 7. Signatures of Pw 7 on the seizure list dated 04.12.2012 are marked as ext 8/1 (Coll.).

Cross examination of Pw 7 is deferred on the prayer of the Ld counsel for accused persons U/S 231 Cr PC.

At this juncture one petition u/s 311 Cr PC has been filed by Ld PP praying for an order to re-call the Pw 6 namely Ashoke Patra on the grounds stated in the petition. Copy served to the Ld defence counsels. Heard both sides. Perused the case record. Considered.

The prayer is allowed.

At this stage Ld counsel for accused persons namely Raj Sonkar, and Sunil Yadav have filed petition praying for an order to waive the condition which was imposed upon the accused person.

Petition dated 21.04.2018 filed on behalf of Bablu Bharati and Bablu Gupta is also taken up for hearing.

Heard both sides, perused the petition and the case record. Considered.

Record reveals that bail prayer of the accused persons was allowed on condition to remain present before the court on each and every dates without fail and also to report the Police Station of his residential/local jurisdiction once a week. It is revealed from the record that since then the accused persons are appearing before this court 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 Raj Sonkar, Sunil Yadav, Bablu Bharati and Bablu Gupta is allowed there will not be any prejudice caused to the prosecution case.

Thus, I am inclined to allow the prayer of the accused Raj Sonkar, Sunil Yadav, Bablu Bharati and Bablu Gupta.

However, the accused is directed to report the Police Station of his residential/local jurisdiction once a month and also appear before this court on every date of hearing as already ordered by this court and he shall not remain absent without any cogent and justified grounds whatsoever. The interim bail of accused is extended till next date.

Fix 07.06.2018 for recording evidence of Pw 6 on re-call and appearance of the accused persons. Accused as before. Issue summons accordingly.

D & C by me

