

IN THE COURT OF LD. CHIEF JUDGE, CITY SESSIONS COURT, BICHAR BHAWAN,

CALCUTTA

NIA CASE NO 05 OF 2022

CNR-

**Present: Sri Siddhartha Kanjilal
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01057**

Order no. 01 dated 21.09.2022

Received re-registered FIR dated 20.09.2022 filed by Shankar Brata Raimedhi, IPS, Superintendent of Police, NIA, Delhi.

Perused the FIR. Considered.

I find that NIA has registered a case being no. RC-44/2022/NIA/DLI dated 20.09.2022 under section 120B/324/326,307 & 34 of I.P.C and under sections 3, 4 & 5 of Explosive Substance Act against accused persons namely **1) Imdarul Haque @ Anaj Master, 2) Surabuddin Sk., 3) Osman Sk., 4) Muklesur Sk., 5) Sukchand Sk., 6) Awlad Hossain, 7) Sahabuddin Sk., 8) Ashik Sk., 9) Mansur Sk. and 10) Sahajahan Sk. @ Saju.**

The Court of Ld. Chief Judge, City Sessions Court, Calcutta has been designated as NIA Special Court under section 11 of the National Investigation Agency Act, 2008 by the Hon'ble Court's Notification No. 9586 R (Inspection II) dated 24.11.2010.

Accordingly, register the case as NIA Special Case.

Office is directed to do the needful.

Today Santanu Pal, Insp./AIO, NIA, B.O., Kolkata has filed one petition through the Ld. Special P.P., NIA, Mr. Shyamal Kumar Ghosh and Ld. P.P., Mr. Debashish Tandon with prayer to pass necessary order(s) **i)** to allow the NIA to file the original re-registered FIR of NIA case no. RC-44/2022/NIA/DLI dated 20.09.2022, **ii)** to kindly take cognizance of the re-registered NIA FIR, **iii)** to request the Ld. District Judge, Murshidabad to kindly direct the concerned jurisdictional Court of P.S.-Beldanga at once to transmit the original case record of case FIR no.26/2022 dated 17.01.2022 of P.S.-Beldanga to this Court immediately, **iv)** to direct the Superintendent of Police, Dist.- Murshidabad to further direct the S.I. Syed A Kabir/I.O. of the Beldanga P.S. case no.26/2022 dated 17.01.2022 to immediately hand over the original case diary with all exhibits, material objects, documents, alamats, all the relied/non-relied evidence(s). i.e. documentary, expert opinion(s), technical and electronic and statements of witnesses etc. to the CIO of NIA of this case being no. RC-44/2022/NIA/DLI **v)** to direct the concerned I.O., S.I. Syed A Kabir of the Beldanga P.S. case no.26/2022 dated 17.01.2022 to immediately hand over the original case diary with all exhibits, material objects, documents,

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alamats, all the relied/non-relied evidence(s). i.e. documentary, expert opinion(s), technical and electronic and statements of witnesses etc. to the CIO of NIA of this case being no. RC-44/2022/NIA/DLI and **vi)** to direct the Superintendent of Police, Murshidabad Correctional Home, West Bengal Police to immediately produce the above named 10 (ten) accused persons in connection with Beldanga P.S. case no.26/2022 dated 17.01.2022 before his Court in the meantime as the Government of India, Ministry of Home Affairs, CTCR Division, North Block, New Delhi as per order bearing no. 11011/78/2022/NIA dated 19.09.2022 has ordered that the case being investigated by the NIA with a further prayer to supply a copy of order passed on this day.

Ld. Advocate, Shyamal Kr. Ghosh, Ld. Special P.P.NIA moves the petition.

Heard the Ld. Special P.P. of NIA.

Perused the petition, re-registered FIR of NIA and copy of the notification of Govt. of India, Ministry of Home Affairs along with annexure.

Considering the entire facts and circumstances, the petition filed by the ld. P.P., NIA is allowed.

Ld. District Judge, Murshidabad is requested to direct the concerned Jurisdictional Court of P.S.-Beldanga to transfer the original judicial record in connection with Beldanga P.S. case no.26/2022 dated 17.01.2022 before the court of ld. Chief Judge, City Sessions Court, Calcutta, Bichar Bhawan, 2 & 3, Bankshall Street, Kolkata- 700 001 which is the special Court designated to try the offences under the NIA Act.

Ld. District Judge, Murshidabad is also requested to direct the concerned Jurisdictional Court of P.S.-Beldanga to pass an order directing the concerned Correctional Home authority/authorities to take necessary step for production of the accused persons namely **1) Imdarul Haque @ Anaj Master, 2) Surabuddin Sk., 3) Osman Sk., 4) Muklesur Sk., 5) Sukchand Sk., 6) Awlad Hossain, 7) Sahabuddin Sk., 8) Ashik Sk., 9) Mansur Sk. and 10) Sahajahan Sk. @ Saju** before this Court on the next date fixed i.e.31.10.2022 at 10.30 a.m.

The Superintendent of Police, Dist.- Murshidabad as well as Officer-in-charge of Beldanga P.S., Murshidabad are directed to further direct the I.O. of the Beldanga P.S. case no.26/2022 dated 17.01.2022 to hand over the original case diary with all exhibits, material objects, documents, alamats, all the relied/non-relied evidence(s). i.e. documentary, expert

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opinion(s), technical and electronic and statements of witnesses etc. to the CIO of NIA of this case being no.RC-44/2022/NIA/DLI in the meantime positively.

Let a copy of this order along with a letter of request be forwarded to the Ld. District Judge, Murshidabad for information and doing needful.

Let a copy of this order be forwarded to the Superintendent of Police, Dist.- Murshidabad, W.B. for information and necessary compliance.

Let a copy of this order be forwarded the officer-in-charge of Beldanga P.S., Murshidabad, West Bengal for information and necessary compliance.

Let a copy of this order be forwarded to the I.O. of the Beldanga P.S. case no.26/2022 dated 17.01.2022 for compliance.

Let a copy of this order also be given to the Ld. P.P., NIA, Mr. Shyamal Kumar Ghosh so that he may process the matter keeping in mind the exigency of the instant case.

Let a copy of this order be also given to the C. I.O., NIA as prayed for.

To **31.10.2022** for production of the accused persons and awaiting Lower Court record and further order.

D/C by me

JUDGE
Special Court, Calcutta
Under NIA Act

JUDGE
Special Court, Calcutta
Unpder NIA Act