

NIA CASE NO 05 OF 2022

CNR-WBCS01-001032-2022

Present: Shri Annada Sankar Mukhopadhyay  
Addl. Dist. & Sessions Judge,  
Fast Track, 1<sup>st</sup> Court, Calcutta  
J.O. CODE NO.WB00863

Order no. 06 dated 20.01.2023

Ld. P.O. is on leave today.

Today is fixed for appearance of the Accused persons, submission of I.O's. report in final form and hearing of the petition dated 10.01.2023 regarding adding section 304 of IPC.

14 Accused persons namely

Md. Imdadul Hoque @ Anaj Master @ Imdarul Hoque,

Md. Surabuddin Sk.,

Md. Osman Ali,

Md. Ashik Hossain,

Toufikul Sk.,

Abir Hossain,

Sukchand Ali @ Sk.,

Sk. Namadar Ali,

Md. Sahabuddin,

Firoja Begam,

Shajahan Sk.,

Habibur Rahaman,

Masadul Haque and

Md. Tahabul Sk are present in Court by filing hazira along with Ld. Advocate.

Ld. Special P.P. of NIA is present.

By filing a petition, Ld. Advocate for the Accused persons prays for allowing the Accused persons to remain on same Bail as furnished before the Ld. Court below.

Another petition has been filed on behalf of the Accused persons namely Habibur Rahaman, Md. Osman Ali, Shajahan Sk., Masadul Haque, Md. Ashik Hossain and Md. Surabuddin Sk. praying for confirmation of Bail and waiving the condition on the ground stated therein.

Heard both sides.

It appears from the case record that Bail in respect of the Accused persons mentioned above was already confirmed.

This Court is not inclined to waive the condition at this stage. The conditions as imposed at the time of granting Bail will continue until completion of investigation so order by the Ld. Sessions Judge, Murshidabad.

The petition dated 10.01.2023 regarding adding section 304 of IPC filed on behalf of the prosecution/NIA is taken up for hearing.

At this stage, Ld. Special P.P. of NIA submits that the prosecution intends to not press the petition dated 10.01.2023 as the prayer for adding section 304 of IPC has already been granted by the Ld. Chief Judicial Magistrate, Murshidabad vide order dated 21.01.2022.

Perused the L.C.R. where from this Court finds that prayer for adding section 304 of IPC was granted by the Ld. Chief Judicial Magistrate, Murshidabad vide order dated 21.01.2022.

Prosecution/NIA is at liberty to not press the petition dated 10.01.2023.

Ld. Special P.P. of NIA submits that investigation is going on and prays for some time to file report in final in the interest of further investigation.

Heard both sides.

Prayer is considered and allowed in the interest of investigation.

Continued.....

Continued order no.06 dated 20.01.2023

To **28.02.2023** for appearance of the Accused persons and submission of I.O's. report in final form.

The accused persons as before.

D/C by me

Sd./-

Chief Judge-in-charge  
City Sessions Court  
Calcutta

Chief Judge-in-charge  
City Sessions Court  
Calcutta

**Later:**

After passing of the above order, Ld. Special P.P. put an endorsement on the petition dated 10.01.2023 with remark "not pressed."

Accordingly, the petition dated 10.01.2023 filed on behalf of the prosecution/NIA praying for adding section 304 of IPC stands rejected being not pressed.

Thus, the petition dated 10.01.2023 is disposed of.

To-date i.e.28.02.2023.

Let a copy of this order be sent to the prosecution/NIA through Ld. Special P.P. of NIA for information.

D/C by me

Sd./-

Chief Judge-in-charge  
City Sessions Court  
Calcutta

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City Sessions Court  
Calcutta