

NIA CASE NO 05 OF 2022
(CNR - WBCS01-001032-2022)
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. 61 dated 25.11.2024

Today is fixed for appearance of all the accused persons, production of the accused person namely Mansur Ali @ Mansur Sheikh @ Manchur Ali @ Mansur Sk., further hearing of the petition u/s 439(2) Cr. P.C dated 18.07.2023 for cancellation of bail against accused persons namely, Md. Imdadul Hoque @ Anaj Master @ Imdadul Hoque, Masadul Sk., Sukchand Ali @ Sk. and Md. Tahabul Sk. together with compliance report with regard to the criminal antecedents and conduct of the four accused persons namely Md. Imdadul Hoque @ Anaj Master @ Imdadul Hoque, Masadul Sk., Sukchand Ali @ Sk. and Md. Tahabul Sk filed on 22.08.2024 on behalf of the Prosecution/NIA from the side of the Ld. Defense Counsel and supply of copies of charge sheet and other related relied upon and non relied upon documents to the accused persons.

Today is also fixed for further hearing of the petition dated 22.08.2024 filed by the Ld. defense counsel for the accused person namely, Shajahan Sk. praying for waving or modifying the condition of bail imposed upon the accused person to meet the I.O. once in a week.

Ld. Special P.P., NIA is present.

Ld. Advocates for the accused persons are present.

The accused person namely Mansur Ali @ Mansur Sheikh @ Manchur Ali @ Mansur Sk. has been produced from J.C.

The accused persons namely Md. Sahabuddin, Md. Imdadul Hoque @ Anaj Master @ Imdarul Hoque, Md. Osman Ali, Sukchand Ali @ Sk., Abir Hossain, Sk. Namadar Ali, Firoja Begam, Shajahan Sk., Habibur Rahaman, Masadul Haque, Toufikul Sk. and Md. Ashik Hossain on Court Bail are found absent.

At this juncture, one petition has been filed on behalf of these accused persons Md. Sahabuddin, Md. Imdadul Hoque @ Anaj Master @ Imdarul Hoque, Md. Osman Ali, Sukchand Ali @ Sk., Abir Hossain, Sk. Namadar Ali, Firoja Begam, Shajahan Sk., Habibur Rahaman, Masadul Haque, Toufikul Sk. and Md. Ashik Hossain by stating that due to curfew of communal disputes these accused persons are not in a position to attend or appear before this Court today and prays for representation of these accused persons through their Ld. Counsel u/s 317 of Cr. P.C.

Heard both sides on the point of representation of these accused persons namely through their Ld. Counsel u/s 317 of Cr. P.C.

Prayer for representation of these accused persons namely Md. Sahabuddin, Md. Imdadul Hoque @ Anaj Master @ Imdarul Hoque, Md. Osman Ali, Sukchand Ali @ Sk., Abir Hossain, Sk. Namadar Ali, Firoja Begam, Shajahan Sk., Habibur Rahaman, Masadul Haque, Toufikul Sk. and Md. Ashik Hossain through their Ld. Counsel u/s 317 of Cr. P.C. is considered and allowed.

Ld. Counsel for the accused persons namely Md. Sahabuddin, Md. Imdadul Hoque @ Anaj Master @ Imdarul Hoque, Md. Osman Ali, Sukchand Ali @ Sk., Abir Hossain, Sk.

Namadar Ali, Firoja Begam, Shajahan Sk., Habibur Rahaman, Masadul Haque, Toufikul Sk. and Md. Ashik Hossain is at liberty to represent these accused persons u/s 317 of Cr. P.C.

Now the petition u/s 439(2) Cr. P.C dated 18.07.2023 for cancellation of bail against accused persons namely, Md. Imdadul Hoque @ Anaj Master @ Imdadul Hoque, Masadul Sk., Sukchand Ali @ Sk. and Md. Tahabul Sk. together with compliance report with regard to the criminal antecedents and conduct of the four accused persons namely Md. Imdadul Hoque @ Anaj Master @ Imdadul Hoque, Masadul Sk., Sukchand Ali @ Sk. and Md. Tahabul Sk filed on 22.08.2024 on behalf of the Prosecution/NIA from the side of the Ld. Defense Counsel is taken up for further hearing.

At this stage, Ld. Advocate for the accused persons files a petition stating that due to some unavoidable circumstances Ld. Senior Advocate is not in a position to attend before this Court and therefore an adjournment has been prayed for.

Ld. P.P of NIA raises no objection.

Heard both sides. The prayer for adjournment is considered and allowed for the ends of justice.

Now the petition dated 22.08.2024 filed by the Ld. defense counsel for the accused person namely, Shajahan Sk. praying for waving or modifying the condition of bail imposed upon the accused person to meet the I.O. once in a week is taken up for hearing.

None moves the petition dated 22.08.2024 filed by the Ld. defence counsel for the accused person namely, Shajahan Sk.

This Court is inclined to give an opportunity to this accused person for hearing the petition dated 22.08.2024 on the next date fixed for the ends of justice.

Ld. P.P of NIA submits before this Court that he is ready to supply the copy of charge sheet along with annexures to the accused persons.

Copies are supplied to the Ld. Advocate for the accused persons represented u/s 317 of the Cr.P.C and acknowledgement receipts containing 14 sheets have been filed before this Court by the prosecution.

Let those be kept with the case record.

On submissions of both sides fix **08.01.2025** for appearance of all the accused persons, production of the accused person namely Mansur Ali @ Mansur Seikh @ Manchur Ali @ Mansur Sk., further hearing of the petition u/s 439(2) Cr. P.C dated 18.07.2023 for cancellation of bail in respect of the accused persons namely, Md. Imdadul Hoque @ Anaj Master @ Imdadul Hoque, Masadul Sk., Sukchand Ali @ Sk. and Md. Tahabul Sk. together with compliance report with regard to the criminal antecedents and conduct of the four accused persons namely Md. Imdadul Hoque @ Anaj Master @ Imdadul Hoque, Masadul Sk., Sukchand Ali @ Sk. and Md. Tahabul Sk filed on 22.08.2024 on behalf of the Prosecution/NIA and submission from the side of the Ld. Defense Counsel.

To date i.e. on **08.01.2025** for hearing of the petition dated 22.08.2024 filed by the Ld. defense counsel for the accused person namely, Shajahan Sk. praying for waving or modifying the condition of bail imposed upon the accused person to meet the I.O. once in a week.

The accused persons on Court bail are as before.

The accused person namely Mansur Ali @ Mansur Seikh @ Manchur Ali @ Mansur Sk.
is remanded to J.C. till 08.01.2025.

Let a copy of this order be forwarded to the I.O of this case through Ld. Special P.P. with
a direction to ensure production of the C.D. on the date fixed.

D/C by me

Sd/-
Chief Judge,
City Sessions Court, Calcutta
Cum Judge Special Court, Calcutta
Under NIA Act.

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City Sessions Court, Calcutta.
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