

Order date: 24.09.2018

The record is fixed today for evidence.

The complainant is present with his Ld. Lawyer.

All three accused persons are absent and file a petition on the ground stated therein praying for adjournment. Let this petition be made part of the record.

The adjournment prayer is now taken up for hearing. Ld. Lawyer appearing for the complainant raised objection against the adjournment prayer on the ground that the accused persons are dragging the case unnecessarily. Ld. Lawyer appearing for the accused persons submit in his usual fairness that his Ld. Senior, who is the advocate on record is indisposed and hence could not appear before the Court today. He accordingly prayed for adjournment. On being asked why the accused persons are absent today Ld. Lawyer appearing to move the adjournment prayer failed to give any cogent grounds for the absence of the accused persons. Where the adjournment petition is bereft of any cogent ground and the Ld. Lawyer moving such petition is also unaware of the reason for which the accused persons are absent, it would be in the wellness of the case to cancel the bail of all the accused persons and issue warrant against them to enforce their attendance. However, as Ld. Senior Advocate appearing for the accused persons are absent, I am not inclined to pass such a coercive order *moreso* as accused no-3 Sabir Pailan is being represented by such Ld. Lawyer u/s 205 of Cr.P.C.

Accordingly, the case stands adjourned today with a direction upon the surety to produce the accused nos.-2 and 3 on the next date fixed on..... positively failing which warrant of arrest shall be issued against them.

Accused no.-3 Sabir Pailan is further directed to show cause why the liberty given u/s 205 of Cr.P.C to him shall not be withdrawn by the date so fixed.

Todate for evidence.

D/C by me

M.M. 3rd Court, Calcutta

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