

**IN THE COURT OF THE MUNICIPAL MAGISTRATE, 3<sup>RD</sup> COURT, CALCUTTA**

Present: Smt. Sneha Basu  
(JO Code – WB01437)

**G.R Case No.70/2024**  
**CNR – WBCS03-000078-2024**

State of West Bengal

v.

Md.Atar Hussain & Ors.

Shri Somraj Dhar

- Ld. Assistant Public Prosecutor.

**- ORDER SHEET -**

Serial No. of Order	Date	Order with signature of the Magistrate	Office note as to action taken on order (if any) and date
	30.10.2025	<p>Today the record is fixed for appearance of the accused person and necessary orders.</p> <p>All accused are present by filing hazira.</p> <p>Ld. Defence Counsel appearing on behalf of the accused persons namely Zeenat Khatoon &amp; Kaniz Fatma files and moves a petition praying for bail on behalf of the said accused persons. Ld. Assistant Public Prosecutor raises formal objection.</p> <p>Heard the submission of Ld. Counsel for both the sides and considered the same. Perused the materials on record.</p> <p>On perusal of the case record, it transpired that the accused persons have been booked u/s 401A of Kolkata Municipal Corporation Act 1980. This court has no hesitation to hold that the accused persons have been booked under Magistrate trial section and that the case record is mature for proceeding, given the fact that investigation is over. Accordingly, in consideration of the facts and circumstances of the case, this court finds merits in the prayer of the defence.</p> <p>Accused persons are hereby released on bail upon furnishing bail bond of ₹ 2000/- (Two Thousand Only) each with one registered surety i.d. to J/C.</p> <p>Ld. Presiding Officer having transferred, Ld. Municipal Magistrate, 2<sup>nd</sup> Court, Calcutta is in charge, in terms of the direction of Ld. Chief Judge, City Sessions Court, Calcutta.</p> <p>It appears from the record that accused person namely Athar Hussain was enlarged on bail on 05-06-2022 in the court of Ld. A.C.J.M , Sealdah.</p> <p>On perusal of the case record admittedly, it transpires that copy of the charge sheet as well as allied documents u/s 173(5) of Code of Criminal Procedure, 1973 is appended with record. Accordingly, let a copy of the same be handed over to the accused person/his representative in compliance of Section 207 of Code of Criminal Procedure, 1973.</p> <p><b><u>Bench Clerk-II to comply.</u></b></p> <p>Given the fact that the accused persons are present in court charge is framed. On perusal of the record, the final report u/s. 173 of the Code of Criminal Procedure, 1973 and materials u/s. 173(5) of the Code of Criminal Procedure, 1973 therein charge is framed. <b><i>On perusal of the record and materials therein, this court is of the view that there are sufficient grounds to proceed against the accused person u/s. 401A/392/610/618 of the Kolkata Municipal Corporation Act, 1980.</i></b> Accordingly charge is framed in a separate sheet and kept with the record. The substance of charge is read over stated and explained to the accused persons in Bengali to which they pleaded not guilty by saying 'aamra nirdosh' and claims to be tried.</p> <p>Issue summons upon C.S.W1 &amp; C.S.W2. BC II to comply.</p> <p><b>To 06-01-2026 for Evidence.</b></p> <p><b>D &amp; C by me,</b></p> <p style="text-align: center;"><b>Municipal Magistrate, 3<sup>rd</sup> Court, Calcutta (In Charge)</b></p>	