

IN THE COURT OF THE MUNICIPAL MAGISTRATE, 3rd COURT, CALCUTTA

*Present: Shri Sourav Roy.
(JO Code – WB1257)*

**G.R. Case No. 216/2023
(Interlocutory Application No. 01/2023)
CNR – WBCS03-000414-2023**

State of West Bengal

v.

Bablu Bera & Anr.

Shri Somraj Dhar

- Ld. Assistant Public Prosecutor.

Smt. Munmun Majumdar

- Ld. Counsel for the Defense.

- 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
	08.12.2023	<p>Today the record is fixed for appearance of the accused persons and necessary orders. Both parties are present. Accused Bablu Bera & Raj Kumar Bhunia surrender before this court. They are taken into custody.</p> <p>Ld. Defence Counsel appearing on behalf of the accused persons files and moves a petition (I.A-01/2023) and submits that the accused persons in connection with this case has preferred an application u/s 438 of the Code of Criminal Procedure, 1973 before the Ld. Sessions Judge, South 24-Parganas, Alipore.</p> <p>Ld. Defence Counsel further submits that Ld. Sessions Judge, South 24-Parganas, Alipore in the said application being Criminal Misc Case No. 3451/2022 has been pleased to grant anticipatory bail to the present accused persons. Accordingly, Ld. Defence Counsel prays for bail on behalf of the said accused persons. Ld. Defence Counsel files certified copy of the said order. Seen and kept with the record.</p> <p>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 order sheet of Ld. Sessions Judge, South 24-Parganas, Alipore in Criminal Misc Case No. 3451/2022 dated 21.07.2022 it transpires that the present accused persons have been released on bail. That being the case, the prayer of the accused persons are considered and allowed. The accused are released on bail upon furnishing bail bond of ₹ 5,000/- with two registered sureties of ₹ 2,500/- each in default to Judicial Custody.</p> <p>At this juncture Ld. Defence Counsel prays for supply of the copy which according to him is with the case record and has not been received by him.</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><u>Bench Clerk-II to comply.</u> To 31.01.2024 for appearance and charge.</p> <p>D & C by me,</p> <p style="text-align: center;">Municipal Magistrate, 3rd Court, Calcutta</p> <p>Later</p> <p>Bail bonds are furnished on behalf of the accused persons by sureties namely</p> <p>The bail bonds are found to be fit and is accordingly accepted. Release the accused persons at once. Recall the W/A.</p> <p>D & C by me,</p> <p style="text-align: center;">Municipal Magistrate, 3rd Court, Calcutta</p>	