

Present : Hemanta Sinha
Additional Sessions Judge
1st Court, Tamluk
T.R (409)- 04 of 2024
Reg no. 04 of 24
CNR No. WBEM010034302024

Order no. 15 dt. 10-07-2024.

Today is fixed for appearance, production of the accused person and hearing of the petition u/ 227 of Cr.P.C.

Both the accused persons on C.B namely Suvendu Hatua and Ashok Kumar Hatua both are present by filing hazira.

Accused Chapeswar Sardar is produced from JC. He is remanded to JC till next date.

Accused Chapeswar Sardar files a petition along with the certified copy of the order of Hon'ble High Court passed in CRM (DB) 1860 of 2024 prying for passing necessary order to release him in view of the order of Hon'ble High Court, Calcutta.

One Advocate's letter is also filed by one Advocate named Rajkumar Maiti certifying the copy order to be true.

Ld. PP in charge and the Ld. Advocate for the accused person are present.

Perused the petition as well as the copy of the order of Hon'ble High Court, Calcutta passed in CRM (DB) 1860 of 2024.

On careful perusal it appears that the Hon'ble High Court, Calcutta was pleased to grant bail to the accused Chapeswar Sardar in the CRM (DB) 160 of 2024 on some terms and conditions.

The operative portion of the order passed by Hon'ble High Court, Calcutta in CRM (DB) 1860 of 2024 is as follows:-

“Accordingly, we direct that the petitioner namely, Chapeswar Sardar, shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional District & Sessions Judge, 1st Court-cum-Special Court, Tamluk, Purba Medinipur. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-charge of the said police station once in every week until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court”

In view of the above the accused be released on bail on furnishing the bond of Rs. 10,000/- (Rupees Ten Thousand), with two registered sureties of like amount each, one of whom must be local, and subject to the condition as imposed by the Hon'ble High Court, Calcutta passed in CRM (DB) 1860 of 2024.

Another petition is filed today by the accused Ashok Kumar Hatua praying for passing necessary order permitting him to consult with the doctor for his regular treatment and checkup. In support of his prayer he also files some xerox copy of prescriptions.

The petition is now taken up for hearing.

Heard both sides. Perused the petition as well as the materials on record. Ld. Advocate for the accused person submits that the accused has been suffering from ailments and he is under treatment by different doctors. The accused is needed to be treated to a doctor whose chamber is in Tamluk town, but due to the condition imposed by the Hon'ble High Court, Calcutta, he cannot go to the doctor without prior permission of the Court to make appointment with the said doctor and as such prays for passing necessary order to give relaxation in the condition no. 2 of the order passed by the Hon'ble High Court, Calcutta in CR (DB) 1501/2024.

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Continued Order no. 15 dt. 10-07-2024.

Ld. PP in charge raises vehement objection against the prayer of the petitioner.

Having heard the submissions of both sides as well as the medical documents of the petitioner/accused, I am of the view that the petition should be allowed on humanitarian ground. So the petition stands **allowed** on condition that he may permitted to come to Tamluk for his medical purpose.

One time petition has been filed today by the accused Suwendu Hatua for hearing of the petition u/s 227 of the Cr.P.C.

Heard. Considered and prayer for time is allowed.

The certified copy of order of Hon'ble High Court Calcutta, passed in CRM (DB) No. 1860/2024 is filed by the Ld. Advocate for the accused Chapeswar Sardar. Let the same be kept with the record.

The certified copy of order of Hon'ble High Court Calcutta, passed in CRM (DB) No. 1816/2024 is filed by the Ld. Advocate for the accused Suwendu Hatua. Let the same be kept with the record.

The net copy of order of Hon'ble High Court Calcutta, passed in CRM (DB) No. 1860/2024 is sent to this Court by Ld. District Judge, Purba Medinipur vide Memo no. 1792/XII-2 dt. 08-07-24. Let the same be kept with the record.

The net copy of order of Hon'ble High Court Calcutta, passed in CRM (DB) No. 1816/2024 is sent to this Court by Ld. District Judge, Purba Medinipur vide Memo no. 1793/XII-2 dt. 08-07-24. Let the same be kept with the record.

To 27-08-2024 for appearance and hearing of petition u/s 227 of Cr.P.C.

Judge (Special Court)
Tamluk Purba Medinipur