

Special Court Case -75/2019
CNR NO- WBHW01-OOO2850-2019
Present- Sonia Majumdar
Special Judge, Howrah
J.O. Code- WB01128

Order No. 40 dated 30.04.2024

Today is fixed for E/R of W/A and appearance of accused persons.

Out of thirty one (31) charge sheeted accused persons fourteen (14) accused persons namely, 1] Arif Hossain, 2] Susanta Sengupta, 3] Pradeep Kr. Mallick, 4] Arnab Majumder, 5] Pradip Acharya, 6] Ramkrishna Sain, 7] Bikash Anand Sinha, 8] Probal Sengupta, Mukul Saha, 9] Swapan Karmakar, 10] Produt Rakshit, 11] Ashutosh Biswas, 12] Pranotosh Naskar, 13] Pradip Achaya and 14] Krishna Das Chatterjee on court are present by filing hazira.

Three (03) accused persons namely, Mayukh Ranjan Sarbadhikary, Dipak Das and Keya Sengupta on court bail are absent by three separate petitions and prays for time.

No E/R of W/A is received against six (06) accused persons namely Moloy Chatterjee, Saktipada Kundu. Goutam Naskar, Bimala Sarkar, Santosh Sarkar and Tapati Banerjee.

Issue reminder at once.

Accused Krishna Chandra Sanpui @ Bhombal on court bail is absent without any steps. Surety is directed to produce the accused persons on the next date positively.

The case against two (2) accused persons namely, Daisy Mitra Dhan and Md. Nishar Ahamed is filed for present.

The case against four (4) accused persons namely, Samir Dasgupta, Debasish Adhikary, Amit Biswas and Harendra Nath Halder is already filed for ever.

At this stage accused Partha Chatterjee is surrendered before this court and he is taken into custody and remanded to J.C. till 10.07.2024. Recall W.A. at once. Ld. Advocate for the accused is present by filing fresh vokalatnama.

A bail petition is filed on behalf of the above named accused. Copy served. Objection noted.

The prayer for bail is moved by the Ld Lawyer for the accused.

Ld. Lawyer for the accused submits that the accused person was granted bail on 01.03.2013 and C.S. has been submitted on 11.09.2013. He submits that as the accused did not take any step, so W.A. was issued on 24.09.2018 and today he voluntarily surrenders before the court and he is 65 years of age. He also submits that some other co-accused persons earlier voluntarily surrendered before the court and have been granted bail. So he prays for grant of bail.

Ld. P.P. in charge raises objection against the prayer for bail and submits that the accused misused the liberty of bail.

On scrutiny of the record, I find that the accused was absent and W.A. was pending against him since 24.09.2018 and thereafter W.P.A. was issued and ultimately vide order No.24 dated 19.07.2021 the against him was filed for the present. Ultimately, after long two and half years he voluntarily surrenders before the court today. It also comes out that E.R. of W.A. is pending against some other co-accused persons.

Considering the facts and circumstances of the case, materials on record and also considering the fact that the accused has voluntarily surrendered before this court today, this court is inclined to allow the prayer for bail of accused Partha Chatterjee on condition.

Accordingly, it is,

O r d e r e d

that the bail application of accused Partha Chatterjee is considered and allowed on contest with condition. The accused person namely, Partha Chatterjee may find bail of Rs.4,000/- with two registered sureties of Rs.2,000/- each subject to the satisfaction of Ld C.J.M., Howrah on condition to be present before the court on each and every date of the case i.d. to J.C. The sureties must be other than previous sureties.

Let a copy of this order be sent to the Ld. C.J.M., Howrah for information.

To date (10.07.2024) for appearance/production of the accused person and further order.

Dictated & Corrected by me

Spl. J.

1st Special Judge, Howrah