

S.C 658 (11) 2023

R. No.- 658/23

JO Code – WB00657

Order No. 03, dated – 21.03.2024.

Out of 12 accused persons, 05 accused persons namely Amir Sohel Sk., Abdar Dafadar, Mojammel @ Sk. @ Munna Sk., Mintu Sk. & Bipul Halder on court bail are present and 04 accused persons namely Khejmat Sk., Gaji Sk., Nirananda Sarkar and Kalim Molla are absent by petition on the ground stated therein. W/A was pending against the accused Selim Sk. and accused persons namely Mashkul Sk. & Hara Molla @ Sk. are absent without steps.

It appears that the said accused Selim Sk. voluntarily surrendered before this court by filing fresh power. A vakalatnama has been filed on behalf of accused Selim Sk. Let the same be kept with the record.

He is taken into custody.

A bail petition has been filed in his behalf. Copy of the same has been served to the Ld. P.P to which Ld. P.P raised objection.

Perused the bail petition.

Heard the Ld. Advocate for the petitioner and the Ld. P.P as well.

Considered.

Having heard both sides as aforesaid, it appears that previously this accused person was on bail and subsequently he misused the liberty thereof, and as a result of the same, on 04.12.2023 Warrant of Arrest was issued against him and pursuant to the order, he voluntarily surrendered before this court.

So, considering the aforesaid facts and conduct of accused as well as his voluntariness to surrender before the court, I am inclined to allow the prayer for bail. Accordingly, his prayer for bail is **allowed but with condition.**

The accused viz. **Selim Sk.** may find **fresh bail** of Rs. 5,000/- with two registered sureties of Rs.2,500/- each, other than previous sureties, of the like amount, subject to the satisfaction of the Ld. C.J.M, Krishnagar, Nadia, on condition that he shall not remain absent before the court on the next dates of hearing without any just or lawful excuse id. to J/C till 23.07.2024.

To date (23.07.2024) for appearance, if on bail.

Recall W/A.

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Since no steps have been taken on behalf of the accused persons namely Mashkul Sk. & Hara Molla @ Sk. and on repeated calls they are found absent, issue Warrant of Arrest against both the accused persons and start proceedings against the surety / sureties concerned U/S 446 of Cr.P.C.

The absent petition, filed by the accused persons stand allowed, asking them to remain present positively on 23.07.2024, id. W/A will be issued against them.

Ld. Chief Judicial Magistrate, Nadia at Krishnanagar, is requested to start proceedings against the surety / sureties concerned U/S 446 of Cr.P.C.

Now the N.E.R has been received from the Nakashipara P.S in respect of accused Selim Sk., who voluntarily surrendered before the court, as aforesaid. The same be kept with the record.

Fix **23.07.2024** for E/R of W/A in respect of accused Mashkul Sk. & Hara Molla @ Sk., appearance of accused Selim Sk., if on bail, and appearance of rest accused persons.

Let a copy of this order be forwarded to the Ld. C.J.M, Nadia at Krishnanagar, for information and taking necessary action.

Dictated & Corrected

Sd/- Subhankar Sen

Sessions Judge,
Nadia at Krishnanagar
21.03.2024

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Sessions Judge,
Nadia at Krishnanagar
21.03.2024