

Order dt.22.07.24.

Today is fixed for production and report.

The accd persons namely Gaurav Jain and Prasenjit Hari, Apu Kumar Shaw and Sachin Tosniwal are produced.

One application for bail has been submitted by the Ld. Avocet for the accd Gaurav Jain.

Ld. Special P.P is present.

Ld. Advocate for the accd Gaurav Jain submitted that since he was arrested, he has been languishing behind the bar for more than two years and there is no immediate prospect of initiation of further trial after changing the charge as supplementary C/S has been submitted.

In the above premises he prayed for bail.

He also pointed out that the wife of the accd is suffering from various ailments and by this time the voice recording test of the accd resulted in negative.

Against the said application Ld. Special PP raised vehement objection on the ground that the co-accd persons had preferred applications for bail before the Hon'ble Supreme Court and Hon'ble High Court which were turned down by the Hon'ble Courts and the application for bail by the instant accd before the Hon'ble High Court was not pressed. Subsequently a series of bail applications were rejected by this court on analogous grounds.

Pointing out the gravity of offence and the views of Hon'ble courts taken while rejecting the appreciation for bail of co-accd persons, he prayed for rejection of the instant application.

After hearing both sides, considering the materials on record and perusing the previous orders passed by this Court and Hon'ble Courts, I think at this stage this court is not in a position to entertain the instant application keeping in mind for the foremost interest of trial.

Hence, bail prayer stands rejected.

To 02.08.2024 for production of all the accd persons.

Now, the application preferred by the Ld. Advocate for the accd persons, save the accd Gaurav Jain and Ranit Acharaya, is taken up for hearing.

In the said application Ld. Defence Counsel submitted that previously he had preferred two applications dt.15.03.24 and 25.04.24 praying for supplying the copies of the electronic documents which were kept in a hard disk under sealed envelope.

In that respect Ld. Special P.P submitted that the direction upon the IO has already been given by this court by the order dt. 07.05.24 and today the IO has submitted an application praying for leave to open the sealed envelope for the sake of investigation. Ld. Special P.P further

submitted that prayer of the Ld. Defence Counsel for getting electronic documents will be fructified if the instant application by the IO be allowed by this court.

Heard.

Considered.

Perused the instant application for the sake of justice the prayer is allowed.

The IO is given the liberty to open the sealed envelope in front of this court in presence of both the Ld. Special P.P and Ld. Defence Counsel on the next date.

Ld. Advocate for the incumbent namely Saurav Tater, claiming to be owner of the sealed premises submitted at this juncture that for de-sealing and handing over the said premises he had already preferred an application on the last date praying for report from the IO which is yet to come. He prayed for necessary direction.

The IO is mandatorily directed to submit a report regarding ownership and present legal status of the sealed premises by the next date i/d to necessary order.

Urgent certified copy to be supplied to the Ld. Defence Counsel as well as Prosecution as per their prayers.

Dictated by,

ACJM

ACJM.,Bidhannagar