

IN THE 2nd COURT OF THE ADDITIONAL SESSIONS JUDGE, ALIPORE

Special ST - 11(01)2023

Special Case No.313/2022

CNR -WBSP01-017814-2022

Present :Manas Ranjan Sanyal (JO Code - WB00666)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

10

20.06.2023

Today is fixed for appearance and consideration of police report from Behala P.S as well as from Thakurpukur P.S.

Accused **Surajit Bhattacharjee** on C/B is present by filing hazira.

On 13.07.2023 defacto complainant of this case filed an application stating that the accused person Surajit Bhattacharjee after granting bail he has been residing at 251D, Bhattacharjee Para Road Kol-63 under P.S- Thakurpukur by violating the condition of bail passed by this Court on 27.02.2023. However, learned Defence Counsel filed an application stating that the accused is complying the condition of the bail and he is residing at 67A, Jadunath Mukherjee Road, Kolkata-34. Pursuant to the claim of the defacto complainant that the accused has violated the condition of bail and the claim of the Defence that the accused has not entered into jurisdiction of Thakurpukur P.S as per order of the Court, both Behala and Thakurpukur P.S have been directed to submit report. Accordingly both the police stations submitted separate report and it appears from the report of Behala P.S that the accused is now residing at 67A, Jadunath Mukherjee Road, Kolkata-34. During inquiry SI of Behala P.S had been to the tenanted premises of 67A, Jadunath Mukherjee Road, Kolkata-34 and inquired from the landlord of the said premises and it has been revealed that the accused is residing there as a tenant and the said tenancy was given on 15.03.2023. I have also perused the report of Thakurpukur P.S submitted by SI. Rafikul Hasan who had been to the PO i.e. at 251D, Bhattacharjee Para Road, P.S-Thakurpukur, Kolkata-63 where the accused was running the coaching center and also stayed there. SI. Rafikul Hasan found that the said premises was under lock and key and also contacted with several local people who stated that they never found the accused at his residential address as well as Thakurpukur P.S area since more than six months. The bail was granted to this accused on 27.02.2023 and it appears from the report of both the police stations that since last six months the accused was not found in the Thakurpukur P.S area. It also reveals from the report that the accused is residing in a rented accommodation at 67A, Jadunath Mukherjee Road, Kolkata-34 and in support of his contention learned advocate for accused submitted a series of document such rent agreement and rent receipt etc. Contd....

Special ST - 11(01)2023
Special Case No.313/2022

Contd....Order No.10
20.06.2023

So, on going through the above report I am convinced that accused Surajit Bhattacharjee has not violated the condition of bail order passed by this Court and he never entered into jurisdiction of Thakurpukur P.S since he has been granted bail by this Court. So, I do not find any merit in affidavit submitted by defacto complainant and I do not find any necessity of taking any coercive measure against the accused person. Accordingly the petition filed by defacto complainant is thus disposed of with the observation that accused person has not violated the condition of the bail passed by the this Court and the complainant is cautious for filing such type of harassing affidavit in future.

To **05.09.2023** for appearance of accused and evidence of CSW- 5.

Prosecution is directed to bring its witness on the date fixed positively.

D/C by me
Sd/-Manas Ranjan Sanyal
A.S.J 2nd Court, Alipore
South 24 Pgs

Sd/-Manas Ranjan Sanyal
Addl. Session Judge
2nd Court Alipore
South 24 Pgs