

S. C. 17 (02) 2020

Order No.30.
Dt.15-03-2023.

Today is fixed for production, appearance and ER of WA.

Out of 06 accused persons, 02 namely, Sagar Halder and Noor Islam are produced from J/C.

One accused Samir Sarkar is present by filing hazirah.

No ER of WA received as against remaining 03 accused persons namely, Madhab Parbat, Rajesh Das and Kasem Sardar. Issue reminder.

Ld. PP in-charge is present with the C.D.

Ld. Advocates for the accused persons in J/C are present.

One application is submitted on behalf of accused Noor Islam praying for modification of his bail order along with Vakalatnama. Also received letter dated 14.03.23 from the Superintendent Presidency Correctional Home along with Prisoners petition of Md. Noor Islam praying for modification of the bail amount.

The application is taken up for hearing.

Perused. Heard both sides.

Submitting the instant application petitioner has prayed for modification of his bail order as the accused is unable to furnish the bail bond due to poor financial condition. It has been stated further that the petitioner has not filed any prayer for modification of the bail order before the Hon'ble High Court, Calcutta. Neither any prayer for modification of the bail order has been rejected by the Hon'ble Court.

Ld. PP in-charge raises no objection at the time of hearing. Neither any objection is raised as regard to the submission of the Ld. Advocate for the petitioner stating inter alia that the petitioner has not filed any prayer for modification of the bail order before the Hon'ble High Court, Calcutta, nor any prayer for modification of the bail order has been rejected by the Hon'ble Court.

Considering the fact that in spite of order passed on 21.12.2022, the accused is unable to furnish the bond. In such premises, I am inclined to modify the bail order in respect of the aforesaid accused person as far as the amount is concerned. Accused Noor Islam may find bail of Rs.2,000/- with two sureties of Rs.1,000/- each, subject to the satisfaction of Ld. ACJM, in-charge GRPS File for information and necessary action i.d. to J/C till 21.04.23.

The order no.28, dt.21.12.2022 stands modified only to the extent of bail amount of accused Noor Islam.

Let a copy of this order be sent to the Ld. ACJM, in-charge GRPS File for information and necessary action.

Let a copy of this order be also sent to the Superintendent Presidency Correctional Home for information.

To 21.04.23 for production, appearance and ER of WA.

D/c by me,

ASJ, FTC-II, Sealdah.

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