

SC 02 (06) 2020

ST 01 (01) 2023

Present-A. Gupta, ADJ, FTC-I, Sealdah.

Order no. 42

04.01.2023

Among total 5 (five) accused persons, 4 (four) accused persons namely Biswajit Mahata @ Kachi, Raju Das, Biswajit Das and Sarwar Sk. are produced from JC.

Ld APP for the State is present with CD the and Ld Advocate for the accused persons is also present.

Received ER in respect of the WPA issued against accused Md. Wasim from EO Tapan Ghosh of Sealdah GRPS forwarded by I.C. of that GRPS to the effect that the accused could not be arrested inspite of raid and nothing could be seized. Perused the documents attached.

Heard.

Considered.

Let the case be filed for present against the accused Md. Wasim.

The absent petition filed for the accused Md. Wasim is rejected being misconceived.

Bail petitions are filed for the accused persons namely Biswajit Mahata @ Kachi, Raju Das, and Sarwar Sk after showing to the Ld App who has put his objection thereon.

The record is, first, taken up for consideration of charge.

Heard both sides.

Perused CD and CR.

It appears that there are grounds for presuming that the accused persons have committed offence U/S 399/402 of IPC.

Charge U/S 399/402 of IPC is, accordingly, framed against the accused persons.

The contents of the charge being read over and explained to the accused persons in Bengali, they pleaded not guilty by saying "Ami Nirdosh" individually.

The bail petitions of the accused persons are now taken up for hearing.

Heard both sides.

Ld Advocates for the accused persons prays for their bail on any condition mainly on the ground of their detention and submits that they shall appear before the Court to face the trial.

Ld APP for the State raises formal objection against the bail prayer of the accused persons.

Perused CD.

This is a case U/S 399/402 of IPC.

Considering the nature of the offence alleged against the accused persons, material in CD and also considering the period of detention already undergone by the accused persons, this Court finds it justified to release the accused persons on interim bail of Rs. 2000/- each with one RS of Rs. 2000/- each till 21.02.2023 on condition that the accused persons shall appear before this Court on each and every date to be fixed for this case untill otherwise directed i.d. in custody, to the satisfaction of the Ld ACJM, Sealdah.

Return CD.

A copy of the order be sent to the Ld ACJM, Sealdah for his information.

If on bail, to 21.02.2023 for evidence of CSW1, appearance of the accused persons namely Biswajit Mahata @ Kachi, Raju Das, and Sarwar Sk. and production of the accused Biswajit Das.

D/C

ADJ, FTC-I
Sealdah, 24PGS (S).