

ST 04 (08) 2023

Reg.- 71/2021

Present- Sri B. Lama, ADJ, F.T.C-I, Sealdah.

Order no.19

19.10.2023

The record is put up by petition. The Ld Advocate for the accused Kunal Lal @ Babla files a petition praying for issuance of direction upon the Superintendent, Presidency Correctional Home for release of the accused in connection with this case on the ground stated therein.

It was contended by the Ld Advocate for the above named accused that the said accused has been brought to the Court on the strength of production warrant issued by this Court although he was all along enjoying the liberty of bail in connection with this case but was detained in custody in connection with ST 02 (01) 2023.

It was further contended by the Ld Advocate for the accused that the Ld Court was pleased to ask the Superintendent concerned Correctional Home for causing production of present accused in connection with present case only for the purpose of consideration of charge as he was detained in connection with another case.

I have verified the record and found the submission of the Ld Advocate for the accused in affirmative with the facts available on case record.

The bail bond in respect of above named accused was furnished on 22.12.2021. The copy of the said order is lying with the case record. Thereafter no Warrant of Arrest has been issued against the accused but production warrant was issued directing the Superintendent of concerned Correctional Home for causing production of the accused, who was detained in the Correctional Home in connection with ST 02 (01) 2023, for the specific reason of consideration of charge in this case.

The record transpires the fact that no Warrant of Arrest had been issued against the present accused and his bail has never been cancelled by this Court but he has been asked to be produced before this Court only for the purpose of consideration of charge considering his detention in another case.

Having regard to the materials available on record, I am inclined to hold that the accused is on bail in connection with present case but he was produced before the Court on the strength of production warrant as he was detained in connection with ST 02 (01) 2023.

Accordingly, Superintendent, Presidency Correctional Home is hereby directed to release the accused namely Kunal Lal @ Babla at

once in connection with ST 04 (08) 2023, if not wanted in any other case or cases.

Inform Superintendent, Presidency Correctional Home at once by transmitting the copy of this order for strict compliance of the directive of the Court.

To date.

D/C

Bikash Lama

J.O. Code WB00935

ADJ, F.T.C-I

Sealdah, 24PGS (S).