

CIS-262/2016
ST-01(08)2016
SC-01(07)2016
CNR No. WBSP150006832016
(J.O.Code-WB00875)

Order No. 156

Dated: 24.06.2026.

Today is fixed for physical production of accused Nurjada Boldia, appearance of 13 accused persons on Court bail and consideration of charge of accused Salam Halder and hearing of bail petition in respect of accused Nurjada Boldia.

Nine accused persons on Court bail are present by filing separate haziras.

Rest four accused persons on Court bail are absent by filing separate petitions.

Accused Nurjada Boldia is physically produced from JC, and he is represented by his Ld. Counsel.

Ld. PP in charge namely Sri Dulal Chandra Dolai files hazira for the State.

A petition is filed for accused Aulad Ali Mir supported with affidavit along with server copy of order dated 09.06.2026 in CRM (DB) 987 of 2023 with CRAN 01 of 2026 of Hon'ble High Court, Calcutta submitting that the condition imposed regarding meeting OC, Dholahat PS once in a month has been waived by Hon'ble Court.

CD is produced.

Both sides are present.

At this stage, Ld. Defence Counsels submit that charge has not been framed in respect of accused persons namely Nurjada Boldia, Israfil Laskar and Salam Halder and prays for framing of charge today in respect of these accused persons.

No objection raised by Ld. PP in charge.

The case record is taken up for framing of charge in respect of aforesaid three accused persons.

Charge has been framed accordingly in separate sheet in respect of three accused persons, to which they pleaded not guilty and claimed to tried.

At this stage, two separate petitions are filed for accused persons namely Nurjada Boldia, Israfil Laskar and Salam Halder submitting that the accused persons are adopting the cross examinations of PW-1 to PW-11 on the part of accused Rafikuddin Molla and they shall not recall the said witnesses in future for cross examination and shall not challenge their identification.

Copy served.

The case record is taken up for hearing of bail petition filed for accused Nurjada Boldia.

Heard both sides.

At the very outset, Ld. Defence Counsel representing the accused Nurjada Boldia submits that no bail petition u/s 439 Cr.PC in respect of this accused is either pending or rejected by any upper forum. It is submitted that no bail petition u/s 438 Cr.PC was ever filed or rejected in respect of this accused before any upper forum.

Ld. Advocate for the accused person submits that this accused is FIR named and was arrested on 18.01.2026. The examination and cross examination of 11 witnesses have already been concluded. Charge has been framed in respect of this accused today. Co accused persons have been granted bail. This accused is totally innocent. Petition already filed regarding adoption of cross examination of PW-1 to PW-11. The petitioner has been falsely entangled in the present case and hence is the present application praying for bail.

Ld. P.P. in-charge namely Sri Dulal Chandra Dolai submitted that PW-2 is the eye witness who has specifically disclosed the name of the accused persons involved in the offence and from there the name of this accused transpires. There is serious allegation against this accused. Hence, he prays for rejection of the bail prayer.

Heard both sides. Perused the available materials in hand including the C.D.

It appears that the co accused persons have been granted bail by the Hon'ble Court.

Considering all aspects as well as materials in hand and considering the period of detention undergone by this accused as well as nature of alleged offence, it appears that this accused is similarly circumstanced with the co accused persons who are on Court bail and as such he deserves the same benefit. That apart there is no immediate chance of conclusion of trial in the instant case as there are many other accused against whom WPA are still pending. As such, I am inclined to grant bail to accused person namely Nurjada Boldia.

The bail petition filed is thus allowed.

The accused Nurjada Boldia may find bail of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of whom must be local subject to satisfaction of Ld. ACJM, Kakdwip and on condition that he would cooperate in the trial of this case and shall appear before this Court on dates fixed subject to provision of Section 317 Cr.PC and he shall also not try to tamper with evidence in any manner whatsoever, failing which necessary order shall be passed.

If on bail to date for appearance.

Return C.D.

Court diary is congested.

Fix 13.11.2026 for physical production/appearance and further cross examination of PW-12.

Prosecution to take steps for producing PW-12 namely Osman Sk.

Let a copy of this order be sent to the Ld. ACJM, Kakdwip for information and taking necessary action.

Dict. & Corr. by me

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas.

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Kakdwip, South 24 Parganas.