

Special TR 07 of 2024
CNR WBUD01-003457-2024
JO Code No.01014

Order No. 13
01.03.2025

Regular P.O is on leave.

Today is fixed for production, appearance, report and call for CD.

Accused Panchu Basak and Ashok Basak, Abdur Rashid, Md. Faijul Rahaman and Abdus Salam @ Saha Alam are produced from J.C through VC and remanded to J.C.

Accused Sk Zakaria on bail in this case is not produced from J.C through VC being shown arrest in connection with another TR case No.02 of 2024.

Accused persons Zane Alam and Mahatabuddin are present by filing haziras along with their Ld. Advocates. Another accused Hayat Ali is absent by petition praying for time.

Prayer is allowed.

One bail petition is filed on behalf of the accused persons namely, Ashok Basak, Panchu Basak and Abdus Salam @ Saha Alam. Copy is served.

Ld. Spl. PP is present.

Ld. Advocates for the accused persons are also present.

The bail petition is taken up for hearing.

Ld. Spl. PP vehemently opposes the bail prayers and submitted that Government money are found to be credited in the Bank account of all these accused and there are sufficient materials against these accused regarding their active involvement in the alleged offence. Moreover, on previous occasions, bail prayers of these accused were rejected by the Ld. Court and if at this stage of investigation, these accused are granted bail, the investigation will be hampered.

Heard all sides.

Perused the case record.

After hearing both sides and on perusal of the case record it appears that accused namely Panchu Basak and Ashok Basak were arrested in connection with this case very recently and prima facie there are materials regarding their involvement in this case and on careful scrutiny of the record, this Court finds that initially CS was submitted on 21.07.2022 u/s 419/420/468/471/120B of IPC with adding Section 413/467 of IPC r/w Section 66D of IT Act and recently supplementary charge-sheet has been submitted u/s 409/419/420/468/471/413/467/218/120B of IPC r/w Section 66D of IT Act and comparing the materials on record with memo of objection submitted by the I.O, on previous occasion, this Court finds that prima facie there are developments and materials in this case against the accused persons regarding their involvement in the alleged offence.

In such circumstances, I am not inclined to allow the bail prayer of the accused persons at this stage.

Accordingly, bail prayers of the accused persons are considered and rejected at this stage.

I.O is directed to submit a complete progress report in the case by the date fixed positively.

Today is also fixed for hearing of prayer dated 16.12.2024 filed by the I.O.

The Ld. Spl PP is present and moved the petition for necessary order allowing the prayer of the I.O.

It appears to me that the prayer for production of accused Rajibul Islam is made along with a prayer for shown arrest of the said accused in respect of the instant case, who is in custody in connection with Karandighi PS case No.324/2021 dated 09.07.2021 u/s 420/406/120B of IPC adding Section 218/409/467/195A of IPC and Section 66D of IT Act, on the ground that during investigation, materials had collected showing his involvement in this case and a thorough interrogation of the said accused is very much required for proper investigation of this case.

Considering all aspects the prayer is allowed in part only regarding production of the accused namely, Rajibul Islam, S/o-Naimuddin of Atapur, Karandighi who is in custody in connection with Karandighi PS case No.324/2021 dated 09.07.2021 u/s 420/406/120B of IPC adding Section 218/409/467/195A of IPC and Section 66D of IT Act.

Fix **11.03.2025** for production (physical) of accused Rajibul Islam.

Issue production warrant at once.

To date (**11.03.2025**) production, appearance, report and call for CD.

Dictd. & corrted by me

Judge, Special Court,
ADJ 1st Court, Raiganj.
Uttar Dinajpur

Judge, Special Court, I/C
ADJ 1st Court, Raiganj.
Uttar Dinajpur