

Spl. TR 07 of 2024
JO CODE No.WB01014
CNR No.WBUD01-003457-2024

Order No.15
24.03.2025

Record is put up on the petition filed on behalf of accused Abdus Salam @ Saha Alam, Ashok Basak and Panchu Basak.

One petition is filed on behalf of the accused persons Abdus Salam @ Saha Alam, Ashok Basak and Panchu Basak with a prayer for rectification of the order dated 11.03.2025 on the ground that bail petition on behalf of accused persons though moved but not reflected in finality of the order dated 11.03.2025. Copy served.

Heard both sides.

Perused the case record.

Minutely perused the order dated 11.03.2025.

It appears at the time of hearing both sides and on perusal of the case record that I.O was present with relevant volumes of CD by filing written memo of bail objection.

The bail petitions were taken up for hearing on said 11.03.2025.

It is in the order dated 11.03.2025 that after hearing all sides and also on perusal of the materials in case record the Court found that two bail petitions were filed on behalf of the accused persons one for Rajibul Islam, Abdul Rashid, Ashok Basak and Md. Faijul Rahaman and Copies were served while from the bail petitions it appears that name of accused persons Abdus Salam @ Saha Alam and Panchu Basak were also there along with the name of accused Ashok Basak.

On minutely perusal of the order dated 11.03.2025 it appears that it is in the order that after hearing both sides and on perusal of the case record and materials in CD the Court found 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 on 16.12.2024 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.

On scrutiny of the materials on case record, this Court further finds that it may not be disregarded that there is no material in view of Section 409 of IPC against these accused persons whereas after comparing the materials on record with memo of objection submitted by the I.O together with the materials in the part 13 of the CD as to the subsequent development in the case against the present accused persons this Court finds that prima facie there are developments and materials in this case against the accused persons. In this regard on minutely perusal of the of the order dated 25.02.2025 passed in CRM(DB) 2860 of 2024, CRM(DB) 3206 of 2024 and CRM(DB) 3413 of 2024 by the Hon'ble Court, it appears that Hon'ble Court has been pleased to reject bail prayer of the accused persons Faijul @ Md. Faijul Rahaman and Saha Alam. It further appears that previously pre-arrest bail prayer of the other co-accused persons named in the supplementary CS have been rejected by the Hon'ble Court as found from the downloaded server copies of the relevant orders of the Hon'ble Court.

Hence, it appears that observation was there in the order dated 11.03.2025 about the accused persons Abdus Salam @ Saha Alam, Ashok Basak and Panchu Basak along with others while at the time of mentioning names of the accused persons Abdus Salam @ Saha Alam and Panchu Basak in rejecting their bail prayers somehow on inadvertent mistake names of the accused persons Abdus Salam @ Saha Alam and Panchu Basak have not been put at the last sentence with regard to rejection of their bail petition.

In view of the aforesaid facts and circumstances considering all aspects bail prayer of the accused persons Abdus Salam @ Saha Alam, Ashok Basak and Panchu Basak is considered and rejected at this stage.

Let the order be considered as the part of the order dated 11.03.2025.

To-date (22.04.2025)

D/C by me

Special Judge,
Raiganj, Uttar Dinajpur

Special Judge,
Raiganj, Uttar Dinajpur