

IN THE COURT OF LD. ADDITIONAL CHIEF JUDICIAL MAGISTRATE
GARHBETA, PASCHIM MEDINIPUR

Present: Sri Vikramjit Sen
J.O. Code : WB01178.

Garhbeta PS 397 of 2016

GR-523 of 2016

CIS - 1409 of 2017

Order dated 28.04.2025:

Today is fixed for E/R of W/A upon accused persons, namely,
1. Anup Kumar Ganguly and 2. Nemai Mondal @ Nemai Chandra Mandal
and E/R of W/P/A upon accused Shaktipada Pradhan.

Warrantee/Accused person, namely, **Anup Kumar Ganguly @ Anup Ganguly** has surrendered voluntarily before the Court today.

One bail petition along with vokatnama is filed on behalf of the accused person/warrantee. Let them be kept with the case record.

One intimation received from MMCH for non production of arrested accused/Warrantee namely, **Nemai Mondal @ Nemai Chandra Mandal** who is in J/C.

A VC link was shared for production of J/C accused **Nemai Mondal @ Nemai Chandra Mandal** through video conferencing.

Another bail petition is filed on behalf of the J/C accused person **Nemai Mondal @ Nemai Chandra Mandal**. Let it be kept with the case record.

Heard the Ld. Advocates.

Heard the Ld. APP.

Also heard the J/C accused person produced through VC at the time of hearing.

Perused the materials-on-record.

It is submitted on behalf of both the accused persons that bail should be granted to them as the charge-sheet has been submitted under Magistrate triable Sections and due to miscommunication the dates

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could not be informed to the accused persons resulting in issuance of warrants. It is further submitted on behalf of the J/C accused that he had been arrested on last Thursday and produced before the nearest Magistrate with the direction to produce him before this Court today but today, he is only produced through VC so the Ld. Advocate could not get his client's signature on the vokatnama.

Considered.

This is a old case wherein charge-sheet has been submitted long back under Magistrate triable Sections but inspite of several directions and reminders the warrants could not be executed for long. However, as the accused namely, **Anup Kumar Ganguly @ Anup Ganguly** has surrendered voluntarily, I find no reason to deny his bail application and secondly, the other accused who is produced through VC, namely, **Nemai Mondal @ Nemai Chandra Mandal** is already in custody for four days, if the submission of his Ld. Advocate is to be believed. At the same time, it is to be noted that no part record or warrant execution report has been received in respect of J/C accused Nemai Mondal from the concerned local Magistrate or the PS yet. Today, the Ld. Advocate appearing for **Nemai Mondal @ Nemai Chandra Mandal** has failed to submit any vokatnama.

Nevertheless, the arrested accused could not be held at fault for the mistake of the police authority to submit execution report.

Therefore, both the bail applications are allowed considering the materials-on-record and observations as made hereinabove.

Accordingly, accused persons may find bail of Rs.1000/- each with one surety each with direction that accused Nemai Mondal @ Nemai Chandra Mandal will file proper vokatnama in the next date.

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Continued Order dated 28.04.2025:

Let a copy of this Order communicated to Superintendent, MCCH with a direction to transmit immediately to this Court the Part-Record in respect of accused Nemai Chandra Mondal @ Nemai Mondal, if the same is in their custody as being informed to this Court by GRO, Garhbeta.

Superintendent, MCCH is also directed to mention in the non-production message the name of the concerned Officer/staff of MCCH who will be responsible for identification of the accused person(s) to be produced through VC in future.

GRO to do the needful.

If on bail, fix **01.07.2025** for appearance of accused persons and E/R and filing vokalatnama in respect of accused person Nemai Chandra Mondal @ Nemai Mondal.

SD/-

[VIKRAMJIT SEN]

**A.C.J.M.(I/C.), GARHBETA,
PASCHIM MEDINIPUR.**

J.O.Code: WB01178.