

In the Court of Additional District & Sessions Judge XII, Aurangabad

Sessions Trial No. 266/2013 (117/20) (CIS-1749/13)

Arising out of Kutumba P.S. Case No. 32/2013

State of Bihar Versus Lal Deo Ram

Order dated- 23.11.2021

1. Out of the 9 accused persons no pairvi has been filed on behalf of the any accused persons. Thus all the accused persons are absent. On repeated call also none appears on behalf of the defence. The prosecution is present, Ld. APP pressed that bail bond of the accused persons be canceled as they are misusing the privilege of bail.
2. Heard Ld. Counsel and perused the case record which transpires that charge were framed on 14.12.2013 against three accused persons. Record also reveals that on 6 accused persons the charges were framed on 08.02.2016. Record also reveals that Sessions Trial Case No. 266A/2013 (02/2016) was amalgamated with record of Sessions Trial No. 266/13(42/16) in the court of A.D.J.-I. It further transpires that all unofficial witnesses had already been examined and only official witnesses are left. The record further transpires that on 01.10.2019 Ld. APP has drawn the attention in the previous court that original injury report is not with the record and the court directed that original injury report with X-ray be called from the office of Civil Surgeon Aurangabad; and for that letter was also issued on 16.12.2019. But the record shows that Civil Surgeon Aurangabad has not complied the order and original injury report of Vijay Ram who has been examined by R.B. Chaudhary on 03.04.2013 and the injury report of Kabutari Devi who has been examined on 03.04.2013 by Dr. RB Chaudhary, have not been sent yet. This restricting the progress of the case.
3. Ld. APP Sri Baban Prasad has prayed to summon be issued to Dr. R.B Chaudhary of Aurangabad Sadar Hospital and summon be also issued to IO of the case. Ld. APP also prays that Civil Surgeon be directed to produce the original injury report of the two victims named above.
4. In light of the above Civil Surgeon Aurangabad is directed to send the original injury report of Vijay Ram and Kabutari Devi who are the victims of Kutumba P.S. Case No. 32/2013 and were examined by Dr. R.B Chadudhary on 03.04.2013. This is for strict compliance immediately and before next date fixed in the case. Also issue summons to the IO and the Doctor who examined the victims of this PS Case.
5. Put up this record again on 09.12.2021. For receipt of the document as asked from the Civil Surgeon, Aurangabad and for evidence of Doctor and IO. All accused persons are directed to remain physically present and if they don't comply their bail bond shall be concealed. Let this order be seen by Ld. APP who would also initiate to get the desire document and secure the attendance of witnesses.
6. Let one copy of order be sent to Civil Surgeon Aurangabad and one copy to SHO, Kutumba who would ensure that the record is complete before next date with original injury reports.

Dictated by

Addl. District & Sess. Judge XII,
Aurangabad (Bihar).

