

Present. N. Tamang.Ld. ACJM, 2nd Court, Dinhata
GR (1)- 440 of 2022
CIS 4401 of 2022

Order No- 23
Dated- 19.12.2024

Today is fixed for Argument.

All 4 accused persons on C/B are present.

Ld. APP and Ld. Defence Counsel are present.

It is to be mentioned that Dilbar Sekh was examined as PW 5 on 02.04.2024 but inadvertently he was examined against as PW 11 on 27.11.2024. It is a rule that the previous evidence has to be taken into account and that both ld. APP and Ld. Defence Counsel raised submitted that they have no objection to the same and stated that the evidence of PW 5 recorded on 02.04.2024 have to be taken into account.

Heard argument in full.

Judgment shall be passed in second session.

Later:

Judgment signed and sealed in 9 sheets of paper containing pages 1 to 9 is pronounced in open Court in presence of all concerned.

Operative part of the Judgment is as under:

Hence, it is,

ORDERED

*That the accused persons namely Nazrul Sekh @ Hanif Ali, Fulbar Sekh @ Fulbar Ali, Fulu Bibi @ Phulanu Bibi and Akakj Ali Sekh @ Akkaes Sekh are found “Not Guilty” for the commission of the offences **under sections 341/323/325/354/506/34** and is thus **ACQUITTED** from this case as per **section 248(1)** Code of Criminal Procedure and is set at liberty at once.*

The accused persons as well their sureties are hereby discharged from their respective bail bond liabilities.

Copy of the Judgment be sent to the District Magistrate, Cooch Behar as well as Ld. Secretary, District Legal Service Authority, Cooch Behar so as to intimate the Victim/complainant about his/her right to appeal as well as to apprise his/her that he/she can seek legal assistance if he/she so desires through District Legal Service Authority, Cooch Behar.

Note in the Trial Register and CIS.

Typed & corrected by Me:

*Addl. Chief Judicial Magistrate,
2nd Court, Dinhata,
Cooch Behar*

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2nd Court, Dinhata,
Cooch Behar*