



TRNT010004482020

Present :- Sri M. Chakraborty

Special Judge

North Tripura, Dharmanagar.

Case No:- Spl (NDPS) 33 of 2020

03.08.2026

Ld. Special PP Mr. D. Goswami is present by filing hazira.

Accused Abhijit Paul @ Prasenjit is absent and represented u/s., 355 of BNSS by Ld. Counsel Mr. M. Roy on the ground that accused is ill.

Accused Nasir Ahmed is produced from J/C through VC.

Ld. Dy. Chief Legal Aid Defence Counsel Smt. S. Bhattacharjee is present for accused Nasir Ahmed by filing hazira.

For ends of justice, representation is allowed.

Heard both sides on the petition filed by Ld. DCLADC Smt. S. Bhattacharjee on 07.07.2026 for accused Nasir Ahmed for recalling ten witnesses (PW1 to PW10) for cross-examination.

Ld. DCLADC submitted that on 04.09.2025 this Court recorded evidence against the accused Nasir Ahmed under section 299 of Cr.PC and during the examination of the above mentioned ten witnesses accused was in jail in c/w SPL (NDPS) 09 of 2024 arising out of 2023 BLG 111 and NDPS (SPL) 18 of 2023 arising out of Bishalgarh PS case No. 58 of 2020. Thus, it is submitted that as

accused was in custody, he could not appear before this Court and it is necessary to cross-examine those witnesses. Therefore, prayed for recalling those witnesses for cross-examination.

In this context, from the photocopy of order DCLADC, I find the accused was on jail from 17.02.2024 to 05.09.2024, and thereafter on 16.03.2026. I find the accused Nasir Ahmed was in jail from 05.02.2024 to 22.11.2024.

I find the above mentioned period of detention is not very much relevant. In this case, the case was proceeded against the accused under section 299 Cr.PC by order dated 04.09.2025 and thereafter evidence of 10 witnesses are recorded. No document is filed to show that accused was in jail on all the dates of examination of the above mentioned ten witnesses.

That apart, the accused could have informed this Court and prayed for production warrant and his production before this Court at the time of recording of those ten witnesses, but he failed to do the same.

This is an old pending case and the accused Nasir Ahmed is negligent and therefore I find ten witnesses would be required to appear before this Court again due to the negligent of the accused.

Thus, for ends of justice, petition filed for accused Nasir Ahmed for recalling PW1 to PW10 is allowed subject to payment of costs of Rs. 20,000/-. The payment of cost of payment of Rs. 20,000/- is for condition precedent for recalling PW1 to PW10 for cross-examination for accused Nasir Ahmed.

Thus, accused Nasir Ahmed is directed to pay cost of Rs. 20,000/- on the next date fixed.

Accused Nasir Ahmed is remanded to J/C till the next date fixed.

Fix 17.08.2026 for payment of cost of Rs. 20,000/- by accused Nasir Ahmed.

As dictated.