

In the Court of Special 1st Court, Birbhum at Suri

Present: Shri Subhrajit Basu (WB01238)

Judge, 1st Special Court,
Suri, Birbhum.

Special Case No. 01 of 2021
(CNR No. WBBB01-000976-2021)

Order No. 15
23.11.2021

Accused Safiul Alam is produced from J/C.

Today is fixed for hearing of the discharge petition filed by the accused dated 10.11.2021 and hearing regarding framing of charge.

Ld. Special Public Prosecutor is present.

One adjournment application is filed today on behalf of the accused through Sri Kalyan Ashish Dhar, Ld. Advocate who submits that Sri Somenath Mukherjee, the recorded Ld. Advocate for the accused unfortunately met with an accident yesterday and as such, he is unable to appear today before this Court and accordingly adjournment has been sought for.

Another application is filed today on behalf of the accused mentioning certain documents by way of a list and stating that those documents were not supplied to the accused person and accordingly, prayer has been made for a direction upon the prosecution to supply copies of those documents to the accused.

Copies served.

In this regard, it may be noted that on 12.04.2021, Ld. Advocate for the accused made a similar prayer before this Court for supply of documents, which according to him were not supplied to the accused person earlier. On that date, this Court directed the prosecution to supply the copies of the documents to the Ld. Advocate for the accused person. Subsequently, on 19.04.2021, the prosecution supplied the copies

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of the documents to the Ld. Advocate for the accused person and at this stage no objection was raised by the defence regarding non-supply of any document.

Since 19.04.2021 long time passed and in the meantime several dates were fixed in the matter and then again on 10.11.2021 another petition was filed by the defence alleging once again that certain documents were not supplied to the accused person.

However, considering the facts and circumstances of the case, particularly the fact that the documents were earlier supplied to the accused on 19.04.2021 and since no objection in this regard was raised by the defence, on 10.11.2021 this Court dismissed the said application of the accused dated 10.11.2021 for supply of documents.

Today once again a similar prayer is made by the defence.

However, considering the aforesaid circumstances, this Court is of the view that the prayer of the defence for supply of copies cannot go on forever and accordingly, the further application filed today for supply of documents is dismissed as not tenable.

However, considering the fact that the Ld. Advocate for the defence is indisposed today due to an accident, the matter is adjourned to **06.12.2021** for hearing of the discharge petition dated 10.11.2021 and hearing regarding framing of charge.

Both sides are directed to be ready on the next date.

Accused be produced on the date fixed.

Dictated & corrected
by me.

Sd/- Subhrajit Basu
Judge, 1st Special Court,
Birbhum at Suri.

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Judge, 1st Special Court,
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