



**In the Court of the Additional District & Sessions Judge,
4th Court,
Purba Bardhaman Sadar, Dist.- Purba Bardhaman**

Present

Shri Pradip Kumar Adhikary, WBJS,
J O Code (UID No.) - WB916

CNR No.- WBBD 0100 5249 2022

SC No.- 164 of 2022

ST No.- 03 of 2024

Arising out of

Ausgram PS Case No.- 579 of 2015 dated 01/11/2015

**Charge framed punishable under sections 341/323/354B/506/34 of the Indian Penal
Code (IPC), 1860 and sections 3 / 4 of the Explosive Substances Act**

State

Represented by Ld. Panel PP Janab Chowdhury Obaidul Haque
v.

Anesur Sk., Samsul Sk., Jahirul Sk., Jahirul Bibi and Serina Bibi

Represented by Ld. Advocate Smt. Rina Ghatak

Order No.- 13

11/02/2026

Today is fixed for evidence of CSW No.- 09 (ASI Prasanta Pramanik, 2nd IO).

All the five (05) accused on Court are present by filing hazira.

The Ld. Panel PP-in-Charge of the case is present by filing hazira but without any witness.

The CSW No.- 5 ASI Prasanta Pramanik, now SI of Police posted at Chandipur PS has send a RT message praying for another date as he could not turn up due to engagement in law and order duty.

Heard.

It appears that on the last date i.e. on 23/12/2025 the CSW No.- 09 did not turn up on the plea of law and order duty.

Busy in law and order duty is not a reasonable ground to skip the Court for deposition.

However, an opportunity is hereby given to the concerned Police Officer to appear on the next date without fail in default warrant of arrest will be issued against him.

The Officer-in-Charge of the concerned PS is directed to send the police personnel(s) to the Court on the given date when he/she/they are called on. Engagement in law and order duty will not be considered as a reasonable ground and consequential order will be passed.

To 20/02/2026 for appearance of the CSW No.- 09 and his evidence in terms of section 231, Cr.P.C // 254, BNSS in default warrant of arrest will be issued.

The accused are directed to remain present on the next date.

In compliance with the mandates of the Hon'ble Apex Court as well as our Hon'ble Court the Investigating Officer is directed to remain present during trial.

The Investigating Officer is also directed to keep the witnesses present in Court.

The Officer-in-Charge of the concerned Police Station is directed to ensure the presence of the Investigating Officer on the date(s) fixed along with witness(es).

If due to some unavoidable circumstances it is not possible for the Investigating Officer to remain present before the Court, the Officer-in-Charge shall depute any other competent police officer who shall ensure the presence of witnesses before the Court on the date of recording of evidence.

It is the duty of the Investigating Officer to protect the witnesses and ensure their presence before the Trial Court, for taking to its logical conclusion. It will help both the victim and the accused person, to have speedy justice which pertains to their right to life as well.

The prosecution is directed to issue process for compelling the attendance of the witnesses and / or the production of the document or thing, if any and to inform the Investigating Officer.

Let a copy of this order be sent to the Officer-in-Charge of the concerned Police Station for compliance.

Let another copy of this order be sent to the Superintendent of Police, Purba Bardhaman for information and necessary action.

The Bench Clerk is directed to do the needful at once.

Typed by me

Additional District & Sessions Judge,
4th Court,
Purba Bardhaman Sadar.

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