

**G.R. Case No. 610/2015**  
**(Interlocutory Application No. 01/2019 & Interlocutory Application No. 02/2019)**

***Order dated 19.09.2019***

Today the record is fixed for evidence. Both parties are present. All 05 accused persons are present.

Ld. A.P.P. files and moves a petition (I.A. 01/2019) u/s. 311 of the Code of Criminal procedure, 1973. Ld. A.P.P. submits that the name of complainant has not been named in the charge sheet as a witness. Ld. A.P.P. submits that the evidence of the said witness is essential and without her the present case cannot be proceeded with. Thus, Ld. A.P.P. prays for passing necessary orders.

Ld. Defense Counsel raises formal objection to the petition.

Heard the submission of the Ld. Counsel for both the sides and considered the same. Perused the documents and pleadings on record.

On perusal of the charge sheet, it appears that admittedly the name of the complainant is missing in Column no. 13. Thus this court finds merits in the petition of the prosecution.

Witness L.A.S.I. Tuktuki Roy is present and surrender before this court and is taken into custody.

Ld. Counsel for the Witness files and moves a bail petition (I.A. 02/2019) on behalf of the Witness namely L.A.S.I. Tuktuki Roy. Ld. A.P.P. does not oppose. Heard the submission of the Ld. Counsel for both sides and considered the same. Accordingly, the petition of the Witness is considered and allowed. Witness L.A.S.I. Tuktuki Roy is released on Personal recognizance bond of ₹ 500/-. I/d to J/C. Recall W/A and/or W/P/A at once, if any.

Issue summons upon CSW 1 and the complainant Pushpa Gorai, w/o Ujjal Gorai, r/o Vill-Hijalgora, PS- Jamuria, District – Paschim Bardhaman at once.

To 12.03.2020 for evidence.

D/C by me.

Judicial Magistrate, 5<sup>th</sup> Court  
Paschim Bardhaman

Judicial Magistrate, 5<sup>th</sup> Court  
Paschim Bardhaman

***Later at 03:00 pm***

P.R. bond of ₹ 500/- is furnished on behalf of the Witness. The bond is found fit and is accordingly accepted. G.R.O. is directed to release the Witness if his detention is not required in any other case.

To date.

D/C by me.

Judicial Magistrate, 5<sup>th</sup> Court  
Paschim Bardhaman

Judicial Magistrate, 5<sup>th</sup> Court  
Paschim Bardhaman