

In the Court of Additional Sessions Judge, 1st Court, Bankura and Judge,
Special Court under the Prevention of Corruption Act

Present: Smt. M. Karmakar, Judge, Special Court under the
Prevention of Corruption Act cum ASJ, 1th Court, Bankura

Special Case: 39 of 2021 (Reg 39/21)
CNR No. WBBK01-002142-2021

Order No. 13,
05.04.2022

Out of three accuseds two accused persons namely, Dilip Kumar Gorai and Ram Sankar Mahanty @ Khokan are produced from J/C.

Rest accused Shyama Prasad Mukherjee has not been produced before the Court. As per photocopy of the report of Superintendent, Midnapore Central Correctional Home dated 04.04.2022 as well as the photocopy of the medical certificate of Medical Officer, Midnapore Central Correctional Home, the accused Shyama Prasad Mukherjee has been admitted at hospital of Midnapore Central Correctional Home for his proper medical treatment.

Ld. Advocates for the accused persons and Ld. P.P are present.

Today, is fixed for filing of charge sheet in final form (supplementary charge sheet). Charge sheet in final form (supplementary charge sheet) has not yet been filed nor any petition is filed from the side of the prosecution praying for time.

Ld. Advocate for the accused Shyama Prasad Mukherjee has filed a petition and has prayed to call for a report from Midnapore Central Correctional Home in respect of health status of the accused Shyama Prasad Mukherjee and to supply of the copy of the medical report so that his family members can get an expert opinion from a specialize doctor.

Perused the photocopy of medical certificate dated 04.04.2022 of the medical officer of Midnapore Central Correctional Home. From the said medical certificate dated 04.04.2022 it cannot be ascertained from which disease the accused Shyama Prasad Mukherjee has been suffering.

On perusal of the case record it appears that since long the accused Shyama Prasad Mukherjee has not been producing before this court on the same ground.

Considered the entire aspect. The Superintendent, Midnapore Central Correctional Home is directed to submit detail reports of nature of the disease of the accused Shyama Prasad Mukherjee and the treatment offered to him.

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Special Case: 39 of 2021 (Reg 39/21)

Today, is fixed for consideration of charge. Ld. Advocates representing the accused Dilip Kumar Gorai and Ram Sankar Mahanty @ Khokan are ready for hearing but the accused-Shyama Prasad Mukherjee has not been produced today. The Superintendent of Midnapore Central Correctional Home was strictly directed to produce the accused-Shyama Prasad Mukherjee before the court so that charge can be framed. In spite of direction the accused has not been produced on the ground that the accused has been admitted at hospital of Midnapore Central Correctional Home. As the accused-Shyama Prasad Mukherjee is not produced, charge cannot be framed today.

Today, is fixed for hearing of petition of the I.O dated 17.01.2022 in his presence regarding opening or breaking of locker in presence of I.O. but the I.O of this case is not personally present today.

Fix 19-04-2022 for

1. Production of all the accused persons
2. Filing of charge sheet in final form (supplementary charge sheet), if any, and consideration of charge.
3. Hearing of petition of the I.O dated 17.01.2022 in his presence regarding opening or breaking of locker.

Let a copy of this order be sent to the Superintendent of Bankura Correctional Home with a direction to transmit the copy of this order to the Superintendent of Midnapore Central Correctional Home with a direction upon the Superintendent of Midnapore Central Correctional Home to produce the accused person-Shyama Prasad Mukherjee on the date of hearing positively, in default, to appear before this court personally with all documents regarding treatment of the accused -Shyama Prasad Mukherjee.

Let a copy of this order be sent to the I.O. of this case Dy. SP DEB, Bankura Abhijit Bhattacharyya.

Dictated & Corrected

Sd/-

ASJ, 1st Court, Bankura

Sd/-

Judge, Special Court
{Under Prevention of Corruption Act}

Cum
Additional Sessions Judge
1st Court, Bankura