

Special Case 04/2021
CNR no-WBBK090000872021

State Vs. Nayan Garai

Order No. 59
Dated 15.12.2025

Today is fixed for hearing of the petition dated 30.11.2024 filed on behalf of the prosecution and appearance of the accused person on court bail.

The accd. is present before the court by filing Hazira.

Ld. Adv for the accd. is present before the court.

Ld. Spl. P.P. moves the instant petition submitting inter-alia that there are two victim girls in this case and their statements were recorded u/s 164 of the Cr. P.C. It is also submitted that the I/O has not cited Ld. Judicial Magistrate as a C/S witness and for exhibiting the statements of the witnesses u/s 164 of the Cr. P.C. are required to be examined on dock for the interest of the prosecution case. So that Ld. Judicial Magistrate is required to be cited as a witness for interest of justice.

Hence the instant petition.

Ld. Adv for the accd. Leaves the matter to the discretion of the court.

Considering the submission of the parties and taking into account the interest if justice I hold that the prayer is very formal and it will not prejudice the other side in the eye of law and so that it is required to be allowed for proper adjudication of the instant case.

Hence, it is,

Ordered

that the petition dated: 30/11/2024 filed on behalf of the prosecution is allowed as prayed for.

The instant petition is accordingly disposed of on contest.

Issue summons to the Ld. Judicial Magistrate, Khatra accordingly.

Fix 06.03.2026 for examination of the LD. Judicial Magistrate, Khatra.

Issue summons accordingly.

To date for appearance and evidence.

Dictated and Corrected by me.

A.S.J -cum- Special Judge, nder POCSO Act
Khatra, Bankura

Additional Sessions Judge,
-cum-
Special Judge, under POCSO Act
Khatra, Dist.- Bankura
J.O. Code WB00638