

ST 6(9)12, SC 4(4)12
CNR. no. WBBK090000332012
Ref. Sarenga P.S case no. 30/2010 dated- 17-07-2010
U/S- 498A/306/34 I.P.C

State Vs Ujjwal Panda and another

Order No-94

Dated – 07/01/2023

Today is the date fixed for E/R of W/A against the witness namely Laxmikanta Panda and appearance of the accused persons and prosecution evidence.

Both the accused persons on court bail namely Mriganka Sekhar Panda and Ujjwal @ Rajesh Panda are not present and filed exemption petition U/s 317 of Cr.P.C, the same is allowed considering the contents of the said petition.

Ld. Advocate for the said accused persons is present.

Ld. P.P incharge of this case is present.

Witness namely Laxmikanta Panda is present.

One surrender petition is filed on behalf of the witness namely Laxmikanta Panda.

Ld. Advocate for the witnesses has submitted that due to illness, the above said witness has not appeared to depose in this case on previous date i.e. on 09-12-2022 and due to that reason non bailable warrant of arrest was issued against him. He prays for permitting him to surrender before this Court.

Ld. Public Prosecutor In-charge of this case has not objected this petition filed on behalf of the above said petitioner.

Considering that non bailable warrant of arrest was issued against above said witnesses, I am of the view that it will be justified to allow the surrender petition of the above said petitioner.

Witness is taken into custody.

One bail petition is filed on behalf of the above said witness namely Laxmikanta Panda.

Ld. Advocate for the witness Laxmikanta Panda has submitted that this witness has not appeared on 09.12.2022 despite furnishing bond before the police, because he was sick. He prays for enlarging the witness Laxmikanta Panda on bail on any conditions.

Ld. Public Prosecutor In-charge of this case has left the matter upon this court.

I have heard the submissions of the Ld. Advocate for the said witness in custody, and submission of the Ld. P.P. In-charge of this case and perused the records. From the records, it is revealed that against this witness bailable warrant was issued on 22.09.2022 but this witness has not appeared on 09.12.2022 despite furnishing bond in that respect before the police and due to that reason this court has issued non bailable warrant against the said witness on 09.12.2022. Considering the submission of the Ld. Advocate for the said witness it appears to me that non appearance of this witness on 09.12.2022 was not intentional as this witness was sick and in this circumstances, it will be justified to enlarge this witness namely Laxmikanta Panda on bail on condition that he will furnish personal bond of Rs. 1000/- to adduce evidence in this case.

With the above observations, bail petition dated 07.01.2023 filed on behalf of the witness namely, Laxmikanta Panda is disposed of.

Fix 12.00 P.M for evidence.

Dictated & corrected

by me.

A.S.J

Additional Sessions Judge,
Khatra, Dist.- Bankura
J.O. Code WB01399

Later

One personal bond of Sum of Rs. 1000/- is filed by witness Laxmikanta Panda .

Recall warrant of arrest against the scribe namely Laxmikanta Panda.

J.O. Code WB01399

Later

12.00 P.M

Witness namely Laxmikanta Panda is present, he has been examined and cross examined as P.W-19, and on his instance his signature on the written complaint is marked as exhibit- P-1(2), whole written complaint is marked as exhibit- P 1(3)/P.W-19 and the witness is discharged.

On submission of the Ld. Public Prosecutor in-charge of this case, the evidence on behalf of the prosecution is closed.

Fix 31/01/2023 for appearance of the accused persons and personal examination of the accused persons.

J.O. Code WB01399