

Special Case No. 03 of 2008

Present : Smt. Mandakranta Saha, ADJ, 2nd Court, Cooch Behar

Order No. 94, Dated 17.12.2025

Today is fixed for hearing of the application u/s 311 Cr.P.C.

Both the accused persons on court bail are present by fling hazira.

Ld. Advocate for the accused and Ld. Special PP are present.

The application u/s 311 Cr.P.C is taken up for hearing.

It is stated that the inquiry report dated 19.05.2006 submitted by Debendra Pant then Accounts Officer Directorate of School Education Primary Branch, Government of West Bengal and Manoranjan Roy Deputy Director of School Education (Women) West Bengal is not produced in evidence. The inquiry report submitted by them is the basis of the present proceeding. Thus the prosecution has prayed for passing necessary order to call for the original inquiry report from the concerned department.

The Ld Advocate for the accused persons has submitted oral objection. It is argued that at this delayed stage the prosecution cannot be permitted to produce such report.

Heard both sides. Perused the record in details.

It is transpired from the record that Sri Manoranjan Roy (PW.7) has been examined in part and his further examination is deferred. During his evidence the attested copy of the report was tendered to him. His evidence shows that the original inquiry report is lying at Deputy Director of School Education, Administration of West Bengal. That original report is not yet produce in court. The original report was never summoned by this court.

The factual aspects of this case shows that the original inquiry report is necessary to arrive at just decision of the case. In fact it is evident from the evidences on record that the report is the basis of the present proceeding. Consequently the original report is required before the court.

Hence, it is,

ORDERED

The application u/s 311 Cr.P.C is allowed on contest but without cost.

The Deputy Director of School Education Administration situated at Bikash Bhaban 6th Floor, Salt Lake, Kolkata 700091 is directed to produce the original inquiry report dated 19.05.2006 submitted by Debendra Pant then Accounts Officer Directorate of School Education Primary Branch, Government of West Bengal and Manoranjan Roy Deputy Director of School Education (Women) West Bengal in connection with inquiry held between 15.02.2006 to 17.02.2006 in terms of Memo No.10 SC/APT dated 01.02.2006 of Director of School Education, West Bengal for inquiry of National Text Book at NTB Cooch Behar before this court on 10.02.2026.

The report must reach this office by 10.02.2026 as the case involves the strict direction of High Court, Calcutta for completion of trial expeditiously.

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Contd. Order No. 94, Dated 17.12.2025

Let the copy of the order be sent to Deputy Director of School Education Administration situated at Bikash Bhaban 6th Floor, Salt Lake, Kolkata 700091 for information and strict compliance. **Treat the matter as extremely urgent.**

The copy of order must be sent by Speed Post.

Dictated & Corrected,

Sd/-

Judge POCSO Court-Cum-
Addl. Sessions Judge, 2nd Court
Cooch Behar,

Sd/-

Judge POCSO Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar, J.O Code:- WB000825

In the Court of Ld. Judge Special Court (POCSO) -cum- Addl. District & Sessions Judge,
2nd Court, Cooch Behar.

Memo No.

Dated 17.12.2025

Copy of Order No.94, Dated 17.12.2025 in connection with Special Case No. 03 of 2008 arising out of Kotwali P.S Case No.381 of 2006 dated 11.10.2006 u/s 409 of IPC is forwarded for information and necessary action to :

1. **Deputy Director of School Education Administration situated at Bikash Bhaban 6th Floor, Salt Lake, Kolkata 700091.**

Judge Special Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar