

NDPS – 04/23 J.O Code: WB1302

Mathabhanga P.S. Case No. 459/21 Dt. 16.8.21

Order No. 05

Dt. 03.4.23.

Today is fixed for appearance of accused persons and I.O.

I.O. of this case is personally present before court now. The defacto complainant of this case is not present. The record is now taken up for hearing of the discharge petition dt. 24.3.22 filed by the I.O. which is pending in the record in respect of accused Ajay Barman in presence of the State. I.O. of this case through Id. P.P. In-Charge submits that in the investigation of this case, he did not find any material against accused Ajay Barman and hence he had made a prayer before the court for discharge of this accused person from this case. However, on scanning of the CD of this case, it is found that there are several statements of witnesses recorded to the effect that recovery of contraband material was found from the possession of this accused person too. Such be the case, the submission of this I.O. is false and hence the discharge prayer made by him in respect of this accused person stands dismissed. **I.O. of this case is given a caution that such instance of false submission and any instance of callousness from his end in any case pending before this court will not be tolerated and severe action would be taken against him as per the relevant provisions of law.**

Accused persons namely Lalit Barman and Ajay Barman are found absent without steps. None appears on behalf of these accused persons when the matter is called out. The instant record speaks that the accused persons did not appear before this court after committment on the date fixed for their appearance before this court i.e. on 20.1.23 and further did not appear on 09.2.23 and 20.2.23 and so is the case on this day. **Let W.A. be issued against these accused persons at once to ensure their presence in the trial of this case. I.C. Mathabhanga P.S. is directed to ensure immediate execution of the said warrants.**

Let a copy of this order be sent to I.C. Mathabhanga P.S. for his information and necessary action.

To **25.4.2023** for E.R. of W.A.

Sd/-

Addl. Sessions Judge, 1st Court,
Cooch Behar, (NDPS).

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Cooch Behar, (NDPS).