

**Sessions Case No. 72 of 2022**  
(CNR No. WBCB01-001834-2022)

**Present : Subrata Ch. Polle,**  
**Sessions Judge, ( WB01273 )**

**35**  
**02/02/2024**

Today is the date fixed for recording evidence as per schedule.

All accused on court bail are present save and except one accused.

Learned defence counsel has submitted an application under section 317 of the Criminal Procedure Code for the absentee accused.

Dr. Niraj Dugar is present today for adducing evidence. However, the learned Public Prosecutor has submitted that the case diary is not available with him as the same was sent to the Hon'ble High Court, Calcutta for consideration of the bail application.

In view of non-availability of the case diary, the witness cannot be examined today. Accordingly, the witness present today is not examined and he is discharged for this date.

Immediately after arrival of the case diary, the aforesaid witness will be examined if the prosecution thinks necessary for the trial.

The learned Public Prosecutor has submitted that another Medical Officer who is to be examined today is engaged in an urgent surgical operation in the Hospital. The learned Public Prosecutor has prayed for another date for examination of the said medical officer.

As the witness are not examined today, the prayer under section 317 of the Criminal Procedure Code is allowed for the absentee accused.

Considering the submission of the learned counsel of the contesting parties, the case is adjourned till for examination of CSW No. 29 on **16/04/2024**.

The accused on court bail are directed to be present on the above date positively.

*Sd/- S.C. Polle*  
**Sessions Judge**  
**Cooch Behar**