

**Special Case No. 01/2017**

**Order No.25, dt. 08.03.2022 :-**

All the ten accused persons namely, (1) Apu Sarkar (2)Subhash Sarkar (3) Basudeb Dey (4) Madhusudan Mahanta (5) Biman Ghosh (6) Subhankar Mandal (7) Pradip Brojobansi (8) Uttam Sarkar (9) Gopal Saha and (10) Paras Chhajjer on C.B are present by filing their respective haziras.

Date is fixed for hearing petition dtd. 19.03.2021 filed on behalf of the accused persons whereby the case record is sought to be transferred to the court of Ld CJM on the ground stated therein contending inter alia that this Special Court has no jurisdiction to try the case and accordingly the case record is taken up for hearing.

Heard both sides.

On behalf of the prosecution Ld P.P submitted that since the charge has already been framed in this case and trial has been commenced the instant petition is misconceived and has no leg to stand upon so far as the law enjoins.

Also heard Ld Defence counsel. Considered.

Having heard the submissions of both the sides and on the face of law I am of the view that the petition being not maintainable at this stage deserves to be rejected and accordingly the same stands rejected.

Fix 12.08.2022 for evidence of the prosecution.

Issue summons upon the prosecution witness CSW No.1 defacto complainant.

Requisition be put in by prosecution immediately.

Accused is as before.

Dictated & Corrected,

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

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Cooch Behar  
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