

Sessions Case No. 39 of 2017

Order No. 27,

Dated : 08-08-2019

Today is fixed for appearance of the I/C, Dinhata P.S.

Ld. P.P-in-charge is present.

I/C, Dinhata P.S appears before this Court and files show cause.

From the order of the **Hon'ble High Court, Calcutta in the Circuit Bench at Jalpaiguri**, it appears that the **Hon'ble High Court, Calcutta in the Circuit Bench at Jalpaiguri vide CRR No. 16/2019** has been pleased to modify the order passed by this court on 11-02-2019 to the extent that the petitioner Haradhan Das shall be tried along with the principal accused **Manoranjan Das**. It is made clear that the petitioner/accused Haradhan Das shall appear on each an every date posted before the trial court, in default of which the trial court shall be at liberty to take appropriate step in accordance with law against the petitioner without any reference to this court.

From the report dated 24-06-2019 and treatment sheet dated 20-05-2019 submitted by **Superintendent, Berhampore Mental Hospital, Murshidabad**, it reveals that the principal accused Manoranjan Das has been directed to attend **North Bengal Medical College and Hospital and Psychiatric Department, Siliguri** with an opinion that the patient needs to be kept in "Inpatient" facility for observation and **24 hours police escort** is yielded.

Heard I/C, Dinhata P.S. and Ld. P.P-in-charge.

Considering the above facts and circumstances it appears that the I/C, Dinhata P.S has not complied the order dated 01-07-2019, thus, he filed the show cause today which is found proper and accepted.

It is a case under section 302/201 of the I.P.C, it appears that the trial of this case is being delayed for last three years as the principal accused **Manoranjan Das** has been suffering from 'pshizophrenia' and he is all along under the supervision of **Berhampore Mental Hospital, Murshidabad**. The trial of this case has been prolonged due to such plea the accused **Manoranjan Das**.

Thus, in view of direction of the **Hon'ble High Court, Calcutta in the Circuit Bench at Jalpaiguri vide CRR No. 16/2019**, the trial of this case cannot be commenced at this stage as both the accused Haradhan Das and Manoranjan Das shall be tried together.

Accordingly, sureties namely, **Sudipta Chakraborty (Registered surety, A/C No. 004081 of Cooch Behar Court)** and **Basiruddin Miah (Local surety, S/O Jafar Ali of Chhoto Nachina, P.S Dinhtata, Cooch Behar)** for the accused **Manoranjan Das**, are directed to produce the accused **Manoranjan Das** before the I/C, Dinhata P.S positively on or before **14-08-2019** and I/C, Dinhata P.S is directed to produce the said accused **Manoranjan Das** before the **Superintendent of North Bengal Medical College and Hospital, Psychiatric Department, Siliguri** on **19-08-2019**.

I/C, Dinhata P.S. is further directed to take proper steps and to make necessary arrangement to comply the order and to provide 24 hours police escort to the accused Manoranjan Das in this regard at North Bengal Medical College and Hospital, Psychiatric Department, Siliguri.

The Superintendent of North Bengal Medical College and Hospital, Psychiatric Department, Siliguri is requested to admit the accused **Manoranjan Das** and to be kept him **‘Inpatient’** facility for observation and to provide him proper treatment.

The Superintendent of North Bengal Medical College and Hospital is further requested to file a status report **once in a month** by 10th of each succeeding month regarding the treatment provided to the accused **Manoranjan Das** and his improvement.

Let a copy of this order along with Photostat copy of report dated 20-05-2019 & 24-06-2019 of the **Superintendent, Berhampore Mental Hospital, Murshidabad** be sent to the **Superintendent of North Bengal Medical College and Hospital and Psychiatric Department, Siliguri** for information and taking necessary action.

Let a copy of this order be forwarded to the **I/C, Dinhata P.S** for his information and to communicate the same to the sureties mentioned above and also to take necessary action in this regard and he is also directed to file compliance report positively by next date.

Fix 31/08/2019 for appearance of both accused persons, compliance report by the **I/C, Dinhata P.S, & Superintendent of North Bengal Medical College and Hospital and Psychiatric Department, Siliguri.**

Dictated & corrected

Additional Sessions Judge,
Dinhata.

Additional Sessions Judge,
Dinhata.