

(Copy of Order)

GR-1118 of 2015
Dinhata P.S Case No. 1070 of 2015

Order No. 22
Dated-12.03.2020

Today is fixed for evidence.

Both accused persons on C/B are present by filing hazira.

Witnesses namely Tapan Barman and Nanda Dulal Halder are present. They are examined and cross examined in full as PW-3 and PW-04 and discharged.

Heard both sides and perused materials on record.

This case is 05 years old. The direction given by Hon'ble Supreme Court to dispose of 5 years and 10 years old cases expeditiously, cannot be complied with due to lackadaisical approach of I.O and police authority.

In the case of **Sailendra Kumar Versus State of Bihar** and others, reported in **AIR 2002, SC 270** Hon'ble Apex Court held that at the time of trial the presence of I.O is must and it is his duty to keep the witnesses present.

Issue summon upon CSW-05, witness namely, Partha Sarkar and CSW-07, I.O of this case namely ASI Rabindra Nath Roy through the S.P. Cooch Behar.

The Superintendent of Police, Cooch Behar is directed to ensure presence of I.O on the date fixed so that the direction of Hon'ble Apex Court can be complied with.

Let a copy of this order be sent to the S.P. Cooch Behar.

To 16.05.2020 for evidence of CSW-05 and 07.

Inform all concerned.

D & C by me.

A.C.J.M,
2nd Court, Dinhata.

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