

**SESSIONS CASE NO.23 OF 2023**  
**CNR NO.WBCS01-000304-2023**  
**S.T. NO.1(03) OF 2020 (OLD)**  
**Present: Sri Soumendra Nath Das**  
**Chief Judge, City Sessions Court, Calcutta**  
**J.O. CODE NO.WB01132**

**Order no. 170 dated 11.03.2024**

Today is fixed for production of the eight accused persons, examination of witness CSW-47 and examination of other CSWs before this Court including the vulnerable witnesses, if any.

The accused persons namely, 1) Sk. Md. Anisur Rahaman, 2) Sk. Taslim Arif @ Raja, 3) Malay Ghosh, 4) Dipak Chakraborty, 5) Nabarun Mishra, 6) Nisith Paul, 7) Mobarak Khan and 8) Md. Azim @ Pappu are produced from J.C.

Ld. Counsels for the accused persons and the Ld. Special P.P. are found present on call.

It is now 3:15 pm.

Received one Gmail copy through office email from the IO, Ajay Kumar Mishra stating that he is unable to attend Court today due to his engagement in law and order duty.

Let the same be kept with the record.

The Trial Monitoring Officer is present in Court today.

At this stage, Ld. Defense Counsel filed a bail application on behalf of the accused Sk. Md. Anisur Rahaman.

Copy served to the Ld. Special P.P with an endorsement "*Received copy and objected to.*"

Let the same be kept with the record.

Now, the record is taken up for hearing of the bail application filed by the Ld. Defense Counsel on behalf of the accused Sk. Md. Anisur Rahaman.

Ld. Special PP prays for fixing the hearing of the bail application tomorrow i.e. on 12.03.2024 as he intends to take instructions from the department with regard to the bail application.

In reply, Ld. Defense Counsel has raised no objection and submits that the bail application be fixed for hearing tomorrow and necessary order be passed by this Court in accordance with law.

In view of the submissions of the Ld. Special PP and the Ld. Defense Counsels, I am inclined to fix the hearing of the bail petition dated 11.03.2024 tomorrow i.e. on 12.03.2024 after evidence.

Written objection, if any, in the mean time.

Now, the matter is taken up for recording evidence in presence of all sides in camera.

CSW-47, Sk. Asgar Hossain is examined in chief as PW-50 by the Ld. Special PP on behalf of the prosecution side in part.

At this juncture, Ld. Special PP files a petition praying for declaring the witness PW-50 namely, Sk. Asgar Hossain as a hostile witness with a further prayer to allow the prosecution to cross-examine PW-50 namely, Sk. Asgar Hossain on the ground stated therein.

Heard Ld. Special P.P as well as Ld. Counsels for the accused persons.

Prayer for declaring witness PW-50 namely, Sk. Asgar Hossain as a hostile witness is considered and allowed.

Prosecution is permitted to cross-examine witness PW-50 namely, Sk. Asgar Hossain.

PW-50 namely, Sk. Asgar Hossain is cross-examined by the Ld. Special P.P in full and thereafter he is cross-examined by the Ld. Counsels on behalf of the accused persons in full and then, he is discharged.

During the evidence the signature of the witness on the seizure list dated 06.11.2019 prepared in between 16:05 hrs. to 16:45 hrs. is proved and marked as Ext.P-46/1/PW-50, signature of the witness on the rough hand sketch map is proved and marked as Ext.P-45/2/PW-50, signature of the witness on the reverse side of the rough hand sketch map wherein names and phone numbers are mentioned is proved and marked as Ext.P-45/3/PW-50 and signature of the witness on the reverse side of the photograph is proved and marked as Ext.P-44/1/PW-50.

As per Gazette Notification dated 15.07.2022, the certified true copy of the deposition of P.W-50 dated 11.03.2024 is handed over to both sides i.e. the prosecution as well as the Ld. Defence Counsels after obtaining endorsement in the relevant register.

It is now 5:15 pm.

No other witness is present today.

Ld. Special PP prays for issuance of summons upon CSW-55 for producing him before this Court tomorrow i.e. on 12.03.2024.

In view of the specific time line fixed by the Hon'ble Supreme Court of India in TRANSFER PETITION (CRIMINAL) NO. 409 of 2021, both sides are directed to be present before this Court at 1:30 pm tomorrow for proceeding with the trial of this case expeditiously.

Todate i.e. 12.03.2024 for production of the eight accused persons, hearing of the bail application dated 11.03.2024 filed by the Ld. Defense Counsels, examination of witness CSW-55 and examination of other CSWs before this Court including the vulnerable witnesses, if any.

Issue summons at once.

Requisite at once.

All the eight accused persons are remanded to J.C. till 12.03.2024.

Let a copy of this order be handed over to Ld. Special P.P for information.

D/C by me.

Sd/-

Chief Judge  
City Sessions Court, Calcutta

Sd/-

Chief Judge  
City Sessions Court, Calcutta