

Sessions Case No 46 of 2014
State of West Bengal Vs Jayeeta Das

Order No 09
Date 18.05.2018

Today is fixed for further evidence and appearance of the accused person.

Accused person namely Jayeeta Das on court bail is present.

Ld. PP and Ld. Defence counsel are present.

Thereafter Pw 1 namely Susanta Dhar is further examined in chief in full.

Complaint (three pages) is marked as ext 3. Signature of Pw 1 on the F.I.R

is marked as ext 4/1.G.D being No 22 dated 01.08.2013 is marked as ext

5 (objected to) . One Diary, Book let is marked as ext X, XI. Signatures of

witness on the One Diary, Book let are marked as material exts X/1(Coll.),

XI/1(Coll.). Four magazines are marked as material exts XII,XIII,XIV and XV.

Signatures of Pw 1 on the magazines are marked as material exts XII/1(Coll.),

XIII/1(Coll.) , XIV/1(Coll.) and XV/1(Coll.). Ten leaflates are marked as material

ext XVI (Coll.) , Signatures of witness on the envelopes and leaflates are marked

as material exts XVI/1(Coll.) , XVI/1/1(Coll.). Ten (10) leaflates are marked as

material ext XVII (Coll.) , Signatures of witness on the envelopes and leaflates

are marked as material exts XVII/1(Coll.) , XVII/1/1(Coll.). One multi coloured

ladies purse (Contg some stip of medicine and dental x-ray plate is marked as

material ext XVIII. Signature of pw1 on the label is marked as ext XVIII/1.

Another ladies purse (made of rexine, brown colour) is marked as material ext

XIX. Signature of witness on the label pasted on the bag which is marked as

material ext XIX/1. Signature of witness on the label pasted on the envelope

is marked as material ext XIX/2.

At this stage Ld counsel for accused files a petition U/s 231 (2) Cr. PC stating inter

alia that they want to cross examine Pw 1 after the completion of examination in

chief of Csw 2 , Csw 3 , Csw 4 and others witnesses if any mention in the

forwarding letter(annexed petition) of search and seizer as because all the

witnesses are almost lay on the same footings , so at this stage , if the cross

examination of Pw 1 is done by the accused person, there is every possibility

of the disclosure of the cross examination to the prosecution to the aforesaid

witnesses who are yet to be examined by the prosecution . Ld. PP raised objection.

Heard both sides. Perused the petition and the statements recording U/S 161 Cr PC.

Considered. Having heard both sides, I am of the opinion keeping their

respective submissions that the instant petition U/S 231 Cr. PC should be allowed .

Prayer of accused is allowed in part as they are mention in the charge sheet(Csw2,3,4).

The rest prayer can't be entertained along with 231 Cr PC prayer as their names are

not cited in the charge sheet.

Cross examination of Pw 1 is deferred on the prayer of Ld defence counsel

U/S 231 Cr PC. No more witness is present, so the case is adjourned.

To 19.05.2018 for further evidence and appearance of the accused persons.

Accused as before. Issue summons accordingly.

Let the alamsats which are marked as material exts. be handed over to the police

personnel who produced the same as there is no malkhana in the City Sessions

Court, Calcutta .

D & C by me

