

*Special ACB Case No.- 9/2017
Filing No.-0000583/2017
CNR No.-WBCS01-000583-2017
Reg. No.- 0000583-2017*

Order No.-68

Dated: 17/05/2024

Out of two accused persons on CB, the accused Ashoke Kumar Dey on CB is present by filing hazira and the accused Sabari Dey is absent by petition and has prayed for granting accommodation. The prayer is allowed.

Ld. Spl. PP Taposh Basu is present by filing hazira.

Ld. Defence Lawyer Debasish Mallick Chowdhury is also present.

Today is fixed for hearing of two applications dated 12/06/2023 filed by Ld. Spl. PP and the petition dated 08/08/2023 filed by Ld. Defence Lawyer.

Ld. Spl. PP has not pressed the petition dated 12/06/2023 and the same is rejected.

Now the petition dated 08/08/2023 is taken for hearing.

It is submitted by Ld. Defence Lawyer that during investigation some documents might be collected by the Investigating Agency, which are in favour of the accused persons. It is prayed that the prosecution may be directed to supply those documents as per the Rule 91A of the Amended Criminal Rules and Orders for the interest of justice.

Ld. Spl. PP has given a formal objection.

I have considered the petition and heard Ld. Advocate for the defence and Ld. Spl. PP. It is latest position of law that the accused is entitled to get the copies of documents upon which the prosecution intends to rely and does not intend to rely in course of trial. As the copies have already been supplied to the accused persons, I direct

Ld. Spl. PP to furnish two separate lists, containing the lists of documents upon which he intends to rely and he does not intend to rely in course of trial.

Fixing 11/09/2024 for filing list of documents, both to be relied upon and not to be relied upon, in course of trial separately through Ld. Spl PP.

The application dated 08/08/2023 filed by Ld. Defence Lawyer is accordingly disposed of.

To date for appearance.

The accused persons as before.

D/c by me.

*Judge, Bench-II,
City Sessions Court, Calcutta
JO Code No. WB00656*