

Order No 11

Date 01.08.2018

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

Accused person namely Basudev Gangopadhyay on court bail absent and represented U/s 317 Cr PC.

Ld counsel for accused persons and Ld PP are present .

Case is taken up for consideration,

At the time of hearing accused person is found present and files hazirah .

Thereafter witness namely Bijay Krishan Mondal (Pw 1) is further examined in chief in full. Seizure list (certified copy) dated 7.11.2015 is marked as ext 2 (as a whole).

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 22 namely Maya Roy, Csw 23 namely Mira Khatun , Csw 24 namely Bikram Kumar Shaw and Csw 25 namely Ashok Sonkar 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.

Cross examination of Pw 1 is deferred on the prayer of Ld defence counsel U/s 231 Cr PC.

Fix 24.09.2018, 25.09.2018, 26.09.2018 and 27.09.2018 for further evidence and appearance of the accused person.

Accused as before. Issue summons accordingly.

D & C by me