

In the Court of the Sessions Judge, Dakshin Dinajpur at Balurghat
Sessions Case No.429/2024 (Computer Registration No.430/2024)
CNR No.WBDD01-003147-2024.
Present :- Shri Manas Basu (J.O Code No.WB 00598)

Order No.08
08.01.2026

All four accused persons are present by filing hazira.

Today is the date fixed for evidence and E.R of bailable W.W.A.

The prosecution files hazira of three witnesses namely Lalit Karmakar, Khirobala Karmakar and Sadananda Karmakar against whom the bailable W.W.A were issued. They appeared before the Police Station and submitted their P.R bonds. In view of the order, they have appeared before the Court for adducing their evidence.

At this stage, the defence files a petition contending interalia that the defacto complainant Asha Karmakar has not yet been examined. So, unless and until Asha Karmakar is examined, it is not possible for the defence to cross-examine the present other witnesses and they will be prejudiced for the same.

Considering the same, the petition of the defence is allowed.

The witnesses, who are present before the Court today, are returned after not examining them in view of the petition filed by the defence.

It appears from the record that tomorrow i.e. on 09.01.2026 is fixed for the evidence of other witnesses.

Considering the above situation, since the defacto complainant has not been examined as yet, the present schedule is hereby cancelled.

Fix 07.03.2026 for evidence of Asha Karmakar, W/o-Lob Mahanta.

It appears from the record that on several occasions the Summons was issued upon Asha Karmakar but returned with a comment that "not found". From the statement of the witnesses present today it also appears that they do not know where Asha Karmakar is residing now.

However, since the defence is not in a position to proceed with the matter without examination of Asha Karmakar, the O.C, Patiram P.S is directed to find out witness-cum-defacto complainant Asha Karmakar and to submit report to this Court by the date fixed.

Issue fresh Summons against Asha Karmakar only.

Let a copy of this order be sent to the O.C, Patiram P.S for information and taking necessary action.

Dictated and corrected by me

**Sessions Judge,
Dakshin Dinajpur at Balurghat.**

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