

## Spl. Case No.02 of 2023

Order No. 41

Dated 19.11.2024.

Sole accused Bijay Subba on C.B is present along with his Id lawyer.

Ld.Special P-P is present and submits that the IO SI Subrata Dutta was on his way to attend the Court but as he received urgent message regarding incident of fire in his jurisdiction he had to rush to the spot and could not attend the Court today. So she prays for time.

Received summons fo C.S.W. No.10 Dr. Chitralekha Sardar having receiving endorsement on the reverse side of the medical officer but it could not be ascertained whether the same be received by her or by somebody else.

Being asked, the Ld. Spl PP-in-charge submits that she needs sometime to get the information about present place of posting of the said doctor.

Ld.PP-in-charge files a petition along-with consent form and potency test report of the accused praying for admitting the same in evidence U/S 293 Cr.p.c. Other side raises no objection.

Having heard both sides and considering the fact that it is not the defence of the accused that he is not sexually competent as well as the fact that the defence has got no objection, prosecution's prayer is allowed. Marked the consent form and the potency test report of the accused as Exhbt. 6 & 7

( on consent ) .

Issue summon afresh upon the C.S.WS.No.10 and the IO and Ld. Spl PP-in-charge is directed to use her good office for appearance of those C.S. Witnesses on the date fixed positively.

To **23.12.2024** for appearance and evidence of C.S.W. Nos. 10 & 13.

D/C by me

Special Judge POCSO

Kurseong.

JO Code No. WB 00601.