

JO Code WB00836, CNR-WBEM01002401-2013  
Present: Smt. Anindita Ganguli, Ld. ASJ, F.T.C-II, Tamluk  
S.T 2 (2) of 2013

Order No.108

Dated 31.03.22.

Today is fixed for evidence of IO.

Accused persons (16) on C/B and present. Other accused persons on C/B and represented u/Sec.317 of Cr.P.C.

Ld. APP files hazira of witness namely Anadbandhu Pati. The witness also files a petition praying for re-call of the W/A.

Ld. Defence Advocate is present.

Ld. APP at this stage moves the petition u/Sec.294 of Cr.P.C. being petition dated 17.03.2021 and prays for permission for marking one medical document of Niranjana Dolo of Medical College Hospital, Calcutta as Exhibit on the ground that the doctor is not available in spite of best efforts. Copy served this day. Ld. Defence Advocate raises objection as he will be debarred from cross-examining the doctor relating to the injury involved.

Heard. Perused the entire case record. Considered.

It reveals that the case involves an incident of the year 1998 and the trial which started on 13.02.2013 could not be concluded till this day for non availability of some of the witnesses. Today the IO is present before the Court as witness. He being the person to have collected the said medical document, I find no impediment to allow the prosecution to tender the said document as an exhibit in this case. However, the veracity of the document will be considered as per Evidence Act. Thus, the petition is disposed of.

Witness Anadbandhu Pati is examined and cross-examined in part and deferred as P.W.16.

Documents marked as Exhibit No.18 collectively, Exhibit No.1/1 collectively, Exhibit No.19 (with objection).

Case is adjourned for further cross-examination of P.W.16. Witness is directed to remain present on the date fixed. The warrant issued against the witness (P.W.16) is hereby re-called.

**To 01.04.2022 for cross-examination of IO.**

Accused persons as before.

Dic. & corr. by me.

Additional Sessions Judge,  
Fast Track, 2<sup>nd</sup> Court, Tamluk.

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