

Present: Md. Rafique Alam
Judge, Special Court,
Tamluk, Purba Medinipur

ST 05 of 2020
Reg no. 367 of 2019
CNR No. WBEM0100 1118 2023

Order no. 59 dt. 28.01.26.

Today is fixed for appearance , production of accused and evidence of Sk. Mansur

Accused Sk. Rasid is produced from JC. Ld. Advocate Dy. CDC LADCS files hazira on his behalf. Another accused Parvina Bibi, on Court Bail, is absent by a petition u/s 317 of Cr.PC filed by Ld. Advocate Dy. CDC LADCS. Ld. Advocate Dy. CDC LADCS and Ld. PP both are present. At this stage Ld. PP moves the application dt. 14.11.25 filed u/s 294 Cr.PC. The petition dt. 14.11.25 is taken up for hearing. It is submitted by the Ld. PP that statement of witness Sk. Dilbar Ali (PW10) was recorded u/s 164 of Cr.PC in connection with this case by Ld. Magistrate which is needed to be exhibited for just decision of this case. It is further argued that the signature of PW10 in his statement, recorded u/s 164 of Cr.PC, has already been marked as Exhibit-P15/1 during his evidence. AS such he prays for marking the statement of witness Sk. Dilbar Ali (PW10) recorded u/s 164 of Cr.PC. Ld. Advocate Dy. CDC LADCS did not raise any objection against the prayer of Ld. PP. He also prays for marking the statement of the witness Sk. Dilbar Ali (PW10) recorded u/s 164 of Cr.PC by the Ld. Magistrate. Heard. Considered.

It appears from the case record that indeed on 30.09.19 the statement of the witness Sk. Dilbar Ali (PW10) was recorded u/s 164 of Cr.P.C by Ld. J.M 1st Court Tamluk in connection with Chandipur PS case no. 136/19 dt. 02.07.19 corresponding to the GR case no. 1416/19 . It also transpires from the record that on 20.11.2024 the evidence of said witness was recorded and during his evidence his signatures in the statement recorded u/s 164 Cr.PC was marked as Exhibit-P-15/1 (collectively). Ld. Advocate Dy. CDC LADCS did not raise any objection against the prayer of the Ld. PP. As such, I am inclined to allow the petition dt. 14.11.25, u/s. 294 of Cr.PC for ends of justice. In view of the above let the statement of PW10 recorded on 30.09.19 u/s 164 of Cr.P.C by Ld. J.M 1st Court Tamluk in connection with Chandipur PS case no. 136/19 dt. 02.07.19 corresponding to the GR case no. 1416/19 be marked as **Exhibit-P15**.

Witness Sk. Mansur Ali is present upon receipt of summons. He is examined in chief in full as PW-19 and thereafter cross examined and discharged. The statement of this witness recorded u/s 164 Cr.PC and his signatures appears therein is marked as Exhibit-P24. Ld. PP prays for time for adducing further evidence. Heard. Considered. Prayer is allowed.

To **09.03.26** for further evidence .
Accused persons are as before.

Judge, Special Court,
Tamluk, Purba Medinipur

