

ST 01(01/2019

Order No. 14
30.01.2020

Today is fixed for further evidence of PW-4.

All four accuseds on c/b are present by filing hazira.

Ld. P.P. in-charge and Ld. Defence Counsel are present.

PW-4 Sk. Akhtar is present who is examined in chief full and cross deferred on prayer by Defence Counsel u/s./ 231 Cr. P.C.

PW-4 has identified his signature in the police inquest report as marked Ext. 1/1, signature in the written complaint as marked Ext. 2, two seizure lists as marked Ext. 3 and 4, signature in the magisterial inquest report are marked as Ext. 5 an 5/1 and production of red tool as marked Mat. Ext. I.

Ld. Defence Counsel files an application u/s. 231 Cr. P.C. with praying to allow cross-examination of the schedule of the witnesses in one schedule on ground inter-alia that they are closed relatives of the deceased.

Copy served.

The instant petition u/s. 231 Cr. P.C. filed by the Defence is taken up for hearing.

Heard Ld. Lawyer of both sides.

Perused the proposed schedule of witnesses as mentioned in the instant application I find that the witness Bulu Bibi (c.s.w. no. 8) and witness Sk. Akhtar (c.s.w. no. 1) and Sk. Akram (c.s.w. no. 9) are closest family members of deceased. The other witnesses namely, Sahadat, Saidur Rahaman, Kutubuddin Khan are distance relation with the deceased.

In considering this fact, the prayer of Defence Counsel u/s. 231 Cr. P.C. is allowed in part. The Defence Counsel is permitted to invoke the provisions u/s. 231Cr. P.C. in favour of c.s.w. no. 1 Sk. Akhtar, c.s.w. no. 8 Bulu Bibi and c.s.w. no. 9 Sk. Akram.

To date i.e. 01.02.2020 for evidence of Bulu Bibi c.s.w. no.8.

Accuseds as before.

Dict. & corr by me

Addl. Sessions Judge,
Fast Track Court, Haldia.

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Fast Track Court, Haldia.