

ST Case No. - 32 (12) 2021
S C No. - 39/ 2020
CNR –WBHG01-001116-2020

Order No. 28 dated 08.07.2024

Today is fixed for evidence of CSW 14 Dr. Partha Bose and hearing of the petition u/s 311 of Cr.P.C filed on behalf of the prosecution.

Out of four accused persons, three accused persons named 1) Debajyoti Patra, 2) Tapas Patra and 3) Chinmoyee Patra on Court bail are present through their Ld. Advocate and has filed hazirah. Another accused named Aheli Patra is absent and is represented by her Ld. Advocate u/s 317 of Cr.P.C.

The petition u/s 311 of Cr.P.C that was filed on behalf of the prosecution on 24.05.2024 is taken-up for hearing.

By the petition, the prosecution has made a prayer for examination of 10 witnesses who were not cited as witnesses in the charge sheet.

Ld. Advocate for the accused persons raised strong objection and verbally makes a prayer for giving him liberty to file written objection.

It is well settled that the power of this Court u/s 311 of Cr.P.C is wide but the same should not be allowed in a routine manner. Unless it is shown that such witnesses are necessary for proving the prosecution case and also the charge levelled against the accused persons, the same should not be allowed. Therefore, opportunity be given to the accused persons to file written objection against the same. Certain other matters also required clarifications.

Therefore, the matter is fixed for further hearing of the petition u/s 311 of Cr.P.C and also the evidence of M.O Dr. Partha Bose.

Fixing 31.07.2024 for evidence of M.O and further hearing of the petition u/s 311 of Cr.P.C.

Summons be issued accordingly. Prosecution to take steps.

D & C by me.

Sd/-

Addl. Dist. & Sessions Judge

3rd Court, Hooghly (Sadar)

WB00891

Sd/-

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