

S.T 30(05) 2023
S.C 207/2022
CNR no.WBHG-01-004745 -2022

Order no. 11 dt. 20.06.2023

Case record is put up by a petition when allowed by the learned Court.

One separate petition for P.W recall is filed and moved before me.

Heard the learned Advocate for the witness Sanjoy Halder @ Bispai.
Considered.

Learned Advocate for the aforesaid accused witness submits that this witness was produced before the learned Magistrate for recording the statement u/s 164 of Cr.P.C, but he is still suffering judicial custody for no reason. So, learned Court may pass necessary order by recalling his P.W.

Perused the case record including L.C.R. Considered.

It reveals that the victim Sanjoy Halder @ Bispai is not an accused in this case being Chinsurah P.S case no. 407/2022 dated 06.08.2022, but he is an accused of Chinsurah P.S case no. 391/2022 dated 02.01.2022. During routine medical check up of him and another accused Toton Biswas on 06.08.2022 at about 11.45 hrs (both P.C accused persons) the alleged incident took place. The statement of this victim accused witness u/s 164 of Cr.P.C was recorded on 12.10.2022. The learned Advocate for the victim witness Sanjoy Halder @ Bispai rightly prayed for recalling P.W.

I find appropriate reason and basis to recall the P.W. Accordingly, P.W is recalled in respect of the charge sheet witness Sanjoy Halder @ Bispai.

Dealing Clerk to accordingly comply.

To date (13.07.2023).

Dictated & corrected by me

Sd/-
Additional Sessions Judge,
1st Court. Chinsurah
J.O Code no.WB00753

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Additional Sessions Judge,
1st Court, Chinsurah.
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