

S T Case No. - 01 (02) 2020
S C No. - 172/ 2019
CNR -WBHG01-005049-2019

Order No. 88 dated 08.12.2023

Today is fixed for evidence of CSW – 5 Dr. C. Sarkar, Ballastic Expert, FSL, Kolkata and CSW – 6 Sri Soumak Chatterjee.

All the seven accused persons namely 1) Mongal Yadav, 2) Baijnath Roy @ Hedek @ Raj, 3) Md. Akbar @ Dhole, 4) Md. Nasim @ Guddu, 5) Md. Manu, 6) Md. Sanu and 7) Saddam Hossan @ Maa Kasam have been physically produced from the J.C.

They are represented by their respective Ld. Advocates.

Ld. Public Prosecutor, Hooghly is present on behalf of the State Prosecution.

CSW-6 of the supplementary charge sheet dated 11.03.2022, the then Asst. Controller of Hooghly District Correctional Home is present. He is examined and cross-examined in full as PW-33 and discharged. The following documents have been marked as Exhibits :-

- 1) Exhibit P-20/1, Exhibit – P-21/1, Exhibit – P-22/1 & Exhibit –P-23/1 – Endorsements/ Certificate of PW – 33 on T.I.P Form dated 02.09.2019 ;
- 2) Exhibit – P-34/1, Exhibit – P-35/1, Exhibit – 36/1 & Exhibit – P-37/1 – Endorsements/ Certificate of PW-33 on T.I.P Form dated 27.08.2019 ;

Ld. Public Prosecutor, Hooghly verbally intimates this Court that CSW-5 Dr. C. Sarkar, Ballastic Expert, FSL, Kolkata is out of the city on official duty and so was unable to attend this Court to record his deposition in this case. He thus makes a prayer for fixing up another date.

Prayer is considered and allowed.

The petition U/s 208 of Cr.P.C filed on behalf of the accused persons on 07.12.2023 is taken-up for hearing.

Referring to the petition, Ld. Advocate of the accused persons submitted that from the charge sheet as well as examination-in-chief of PW-32, it has been revealed that he had examined some witnesses and prepared some documents that are morefully described in the schedule of the petition. He further submits that the copy of those documents were not supplied to the defence from the prosecution side. Therefore, he makes a prayer for supply of those documents as per the schedule of the petition.

Copy of the said petition has been duly served upon the Ld. Public Prosecutor, Hooghly who fairly submits that there is no impediment to supply those documents to the defence.

Thus, the the petition is disposed of directing the prosecution to serve copies of all such documents mentioned in those petition to the defence.

No other witness has turned-up today.

Thus, Ld. Public Prosecutor, Hooghly makes a prayer for fixing-up a schedule for examining CSW-5 Dr. C. Sarkar, Ballastic Expert, FSL, Kolkata, Sri Biplab Shee, the then Ld. Judicial Magistrate, Addl. Court, Chinsurah, Hooghly, Sadar and the 2nd I.O of this case. Therefore, on the prayer and consent of both sides, the following schedules are fixed :

To **03/01/2024** -For evidence of CSW – 5 Dr. C. Sarkar, Ballastic Expert, FSL Kolkata ;

To **09/01/2024** – For evidence of 1) Sri Biplab Shee, the then Ld. Judicial Magistrate, Addl. Court, Chinsurah, Hooghly and 2) CSW – 29 S.I Arijit Dasgupta, 2nd I.O of this case.

Accused persons are remanded to J.C till date.

Prosecution to take steps. Issue summons accordingly.

Since there is direction from the Hon'ble Court for expeditious disposal of this case, Ld. Advocates appearing for the respective sides are requested to assist this Court in its endeavour to comply with the same and therefore it is mentioned in open Court that the matter shall be taken up **as specially fixed at 1.00 p.m on the scheduled dates.**

D & C by me.

Sd/-

Addl. Dist. & Sessions Judge
3rd Court, Hooghly (Sadar)

WB00891

Sd/-

Addl. Dist. & Sessions Judge
3rd Court, Hooghly (Sadar)

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