

Judicial Form No.7(R)

Form for Recording Deposition

In the Court of : Sub-Divisional Judicial Magistrate, Sabroom, South Tripura.

Present : Shri Aritra Das,

Case No. : **PRC(WP) - 63 of 2022**

Deposition of witness No. **PW-02** for the prosecution recorded on oath or solemn affirmation under provision of OATHS ACT, 1969 (Act, 44 of 1969) on this 19th day of July, 2023 in the English language interpreted by me.

Name- **Sri Mithun Basak**, S/O – Lt. Giridhari Basak, Age of 35 years, Resident- Kathalchari, P.S- SBM, District- South Tripura, Occupation- Driver, Hindu, Literate.

Examination-in-chief:-

Around one year back at about 05:00pm, when I was returning home, I found some police personnel from Sabroom PS along with SDPO standing nearby my residence on the road and one police personnel asked me to put my signature on a paper. I cannot say the contents of the paper on which I put my signature. I cannot say for what purpose my signature was taken. I was not interrogated by the IO in c/w this case.

Cross-Examination :-

It is not a fact that I did not put any signature. I did not know the SDPO.

Typed to my dictation
and corrected by me.

Read over and explained to the
witness and admitted to be
correctly recorded.

(Shri Aritra Das)

Judicial Form No.7(R)

Form for Recording Deposition

In the Court of : Sub-Divisional Judicial Magistrate, Sabroom, South Tripura.

Present : Shri Aritra Das,

Case No. : **PRC(WP) - 63 of 2022**

Deposition of witness No. **PW-03** for the prosecution recorded on oath or solemn affirmation under provision of OATHS ACT, 1969 (Act, 44 of 1969) on this 19th day of July, 2023 in the English language interpreted by me.

Name- **Sri Prasenjit Rudra Paul**, S/O – Sri Ajit Rudra Paul, Age of 28 years, Resident- Mahendra nath tilla, P.S- SBM, District- South Tripura, Occupation- Mason, Hindu, Literate.

Examination-in-chief:-

Around 6-7 months back at about 05:00pm, when I was returning home from my work, some police personnel from Sabroom PS came to me and asked me to put my signature on a paper. I cannot say the contents of the paper on which I put my signature. I came to know from them that they arrested Abhijit @ Bhutan, one of my neighbours for some act not known to me.

Ld. APP prays for declaring the witness as Hostile and for permitting to put some questions relevant in cross-examination.

On perusal of the statement of the witnesses recorded by the IO u/s. 161 of Cr.P.C., the prayer of Ld. APP is hereby allowed.

Sri Abhijit Dey @ Bhutan is my neighbour. No shop is set up in his residence. It is not a fact that a grocery shop is running by Abhijit. I know that he is undergoing imprisonment. I know Abhijit since last 7 months. Abhijit is residing in our locality as my neighbour since last 7months. I cannot say as to whether a case is pending against him relating to theft in Doulbhari School. I was not interrogated by the IO. It is not a fact that I was interrogated by the IO and I stated to the IO that on 09.04.2022 at about 09:20pm, the Officers from Sabroom PS accompanied by SDPO Sabroom called me and other local public at the house of Abhijit Dey and the police personnel conducted raid in

my presence in the grocery shop of Abhijit Dey @ Bhutan and recovered 120nos. Small plastic vials in transparent poly packet containing orange color substance measuring the same to be 51.85gms approx. and one police officer prepared the seizure list in presence of SDPO, Sabroom. Abhijit Dey @ Bhutan was selling those substance to young generation of the society from his shop. Ld. APP read over the statement of the witness recorded by the IO u/s. 161 of Cr.P.C. to him, to which the witness denied to have made any such statement to the IO. The relevant portion of his statement recorded by the IO u/s. 161 of Cr.P.C. is provisionally marked by the red ink subject to the confirmation by the IO.

It is not a fact that Abhijit Dey is residing as my neighbour since last 20 years. It is not a fact that I have a good relationship with Abhijit Dey since my childhood. It is not a fact that I am a habitual customer of Abhijit Dey and due to that reason I have deposed in favour of Abhijit Dey.

Cross-Examination :-

It is not a fact I did not put any signature on any paper. It is not a fact that the police did not call me to put any signature on any paper.

Typed to my dictation
and corrected by me.

Read over and explained to the
witness and admitted to be
correctly recorded.

(Shri Aritra Das)

Judicial Form No.7(R)

Form for Recording Deposition

In the Court of : Sub-Divisional Judicial Magistrate, Sabroom, South Tripura.

Present : Shri Aritra Das,

Case No. : **PRC(WP) - 63 of 2022**

Deposition of witness No. **PW-04** for the prosecution recorded on oath or solemn affirmation under provision of OATHS ACT, 1969 (Act, 44 of 1969) on this **19th day of July, 2023** in the English language interpreted by me.

Name- **Smt. Dipu Rani Das**, W/O – Lt. Jahar Lal Das, Age of 48 years, Resident- Kathalchari, Mahendra nath tilla, P.S- SBM, District- South Tripura, Occupation- House wife, Hindu, Literate.

Examination-in-chief:-

One day at night I came out from my residence by hearing some commotion and then some police personnel from Sabroom PS asked me to put my signature on a paper. I cannot say the contents of the paper on which I put my signature. I cannot say for what purpose my signature was taken. I cannot say why the police came to our locality. At that time some other persons namely, Prasenjit, Mithun and other were present there.

Ld. APP prays for declaring the witness as Hostile and for permitting to put some questions relevant in cross-examination.

On perusal of the statement of the witnesses recorded by the IO u/s. 161 of Cr.P.C., the prayer of Ld. APP is hereby allowed.

Sri Abhijit is my neighbour. He runs a grocery shop in his house. I was not interrogated by the IO. It is not a fact that I was interrogated by the IO and I stated to the IO that on 09.04.2022 at about 09:20pm, the Officers from Sabroom PS accompanied by SDPO Sabroom called me and other local public at the house of Abhijit Dey and the police personnel conducted raid in my presence in the grocery shop of Abhijit Dey @ Bhutan and recovered 120nos. Small plastic vials in transparent poly packet containing orange color substance measuring the same to be 51.85gms approx. and one police officer prepared the

seizure list in presence of SDPO, Sabroom. Abhijit Dey @ Bhutan was selling those substance to young generation of the society from his shop. Ld. APP read over the statement of the witness recorded by the IO u/s. 161 of Cr.P.C. to him, to which the witness denied to have made any such statement to the IO. The relevant portion of his statement recorded by the IO u/s. 161 of Cr.P.C. is provisionally marked by the red ink subject to the confirmation by the IO.

It is not a fact that Abhijit Dey is residing as my neighbour since last 20 years. It is not a fact that I have a good relationship with Abhijit Dey since long back. It is not a fact that I am a habitual customer of Abhijit Dey and due to that reason I have deposed in favour of Abhijit Dey.

Cross-Examination :-

It is not a fact I did not put any signature on any paper. It is not a fact that the police did not call me to put any signature on any paper. It is fact that I never visited his residence.

Typed to my dictation
and corrected by me.

Read over and explained to the
witness and admitted to be
correctly recorded.

(Shri Aritra Das)