

In Court of Additional District Judge, 2<sup>nd</sup> Court, Howrah.

ST 01/24.

Order no.22 dt. 20.04.24.

Accused Goni Sekh, Dibakar Bera and Morselim Sekh @ Sk Morselim are produced from J/C.

Accused Dilip Kr Samanta on bail is present before court by filing hazira.

Today is fixed hearing petition u/s 227 CrPC filed on behalf of accused Dilip Kr Samanta praying for discharge from this case.

Petition is taken up for hearing.

Heard both sides.

Perused the materials in CD and LCR.

Considered.

It appears that IO has submitted charge sheet against the accused for offence punishable u/s 379/411 of IPC. At the time of hearing and also on perusal of CD, it can be found that the mobile phone of deceased was recovered from the house of Dilip Kr Samanta i.e. accused and witnesses have made statement regarding the possession of said mobile by the accused consciously and using the same for business purpose.

Considering all such aspects, I find that there are sufficient materials against the accused for framing charge against him. As such there is no question of discharge of the accused as per provision of section 227 of CrPC.

Thus the petition u/s 227 CrPC dt. 01.04.24 is considered and rejected.

Accused persons be remanded to J/C.

To 04.05.24 for production, appearance and charge.

Addl. Sessions Judge,  
2nd Court, Howrah.