

**Present: Asmita Samajder [J.O. Code – WB00956],  
Additional Sessions Judge,  
4<sup>th</sup> Court, Howrah.**

**S.T. 229 of 2025  
[CNR No.-WBHW01-001054-2025]**

**Order no. 10 dated 17.02.2026**

Today is fixed for further examination-in-chief of PW1 and production.

Both the accused persons, namely, Jitendra Jaiswal and Sekhar Jaiswal, in J/C, are physically produced from Howrah Correctional Home.

Ld. PP-in-Charge and the Ld. Advocate for the accused persons are both present. PW1, namely Durgesh Jaiswal is present in court today.

As such, the case record is taken up for recording further evidence of the said witness.

Accordingly, PW1 is then examined in full. The cross-examination of PW1 is deferred at this stage on the prayer of the Ld. Counsel representing the accused persons on the ground that Ld. Senior Advocate engaged in this matter for the accused persons, namely Shri Samir Basu Roychowdhury, is busy for the Bar Council Election and is presently out of Howrah Court today. The time petition filed by the defence in this regard is allowed, with no objection from the side of the Ld. PP-in-Charge.

During the examination-in-chief of the PW1, some documents and materials are marked as exhibits, in the manner as under:

- **Signature of PW1 on the formal FIR dated 13.05.2025 - Exhibit P-2(1)/PW1.**
- **Signature of PW1 on the inquest report dated 13.05.2025 - Exhibit P-3(1)/PW1.**
- **Signature of PW1 on the seizure list dated 18.05.2025 - Exhibit P-4(1)/PW1.**
- **Signature of PW1 on the zimmanama dated 18.05.2025 - Exhibit P-5(1)/PW1.**
- **Signature of PW1 on the zimmanama dated 11.07.2025 - Exhibit P-6(1)/PW1.**
- **Original birth certificate of Aasis Jaiswal - Exhibit P-7/PW1.**
- **Original Aadhar card of Aasis Jaiswal - Exhibit P-8/PW1.**
- **Three nos. of fixed deposit passbooks in the names of Sulekha Jaiswal and Jitendra Jaiswal - Exhibit P-9/PW1 (collectively).**
- **Original Sasthya Sathi card in the name of Sulekha Jaiswal - Exhibit P-10/PW1.**
- **Part of golden chain - MO-1/PW1.**
- **Golden nose ring (1 no.) - MO-2/PW1.**
- **Golden nose tana - MO-3/PW1.**
- **Golden rings (4 nos.) - MO-4/PW1 (collectively).**
- **Golden earrings (4 pairs) - MO-5/PW1 (collectively).**
- **Golden chains (one pair) - MO-6/PW1 (collectively).**
- **Golden mangalsutra - MO-7/PW1.**
- **Silver nupur - MO-8/PW1.**
- **Silver kamarbandh - MO-9/PW1.**
- **Golden hand karas (one pair) - MO-10/PW1 (collectively).**

At this juncture, Ld. PP-in-Charge prays for return of the articles which were earlier produced before this court and marked as exhibits during the further examination-in-chief of PW1.

(...contd...)

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(...contd...)/**Order no. 10 dated 17.02.2026**

Perused the record. It appears that the said articles were produced before this court pursuant to zimmanama executed by the de facto complainant/PW1, and the same have already been duly identified and exhibited during trial. At this stage, their continued physical retention in the custody of the court does not appear to be necessary for the purpose of adjudication, subject, however, to an undertaking that the same shall be produced as and when directed by this court or any Appellate Court, if occasion so arises.

Having regard to the nature of the articles and considering the prayer of the de facto complainant/PW1 through Ld. PP-in-Charge, this court is of the view that the ends of justice would be sufficiently met if custody of the said exhibited articles is returned to the de facto complainant/PW1 upon execution of a proper bond with adequate safeguards.

**Accordingly, let the exhibited articles, as described in the seizure list dated 18.05.2025 and marked as Material Exhibit Nos. MO-1/PW1 to MO-10/PW1, be returned to the de facto complainant/PW1, namely Durgesh Jaiswal, upon his executing a fresh zimmanama bond to the satisfaction of this court for a sum of Rs. 2,00,000 /- (Rupees Two Lacs only), with undertaking *inter alia* that he shall retain the said material exhibits/articles in safe custody and shall not tamper with, alter, transfer, alienate, or otherwise part with possession of the same without prior permission of this court.**

The de facto complainant/PW1 shall produce the said articles before this court or before any other Court as and when directed, until final disposal of the case and expiry of the period of appeal, if any. He shall further keep the identity and condition of the said articles intact so that the same may be identified without difficulty whenever required.

It is made clear here that the exhibit numbers already assigned to the said articles shall remain unchanged notwithstanding their release on zimma. Let the zimmanama bond be filed accordingly.

Fixing **23.03.2026 and 25.03.2026** for further cross-examination of PW1 and production of the accused persons.

Next date is informed to all concerned in the open court.

Accused persons in J/C as before.

Typed and corrected by me;

Sd/-

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Additional Sessions Judge,  
4<sup>th</sup> Court, Howrah