

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

**S.T. 192 of 2025
[CNR No. –WBHW01-003230-2025]**

Order no. 08 dated 20.08.2025

Today is fixed for evidence of CSW42.

Out of three accused persons in J/C, one accused namely Soraj Kanjar is produced physically via VC from the Howrah Correctional Home.

Rest two female accused persons, namely, Sahanara Begum and Mafuja Bibi Sha, in J/C, are produced via VC from the Alipore Women's Correctional Home.

Ld. Advocates for the accused persons are present. Ld. PP-in-charge is also present.

The CSW42, namely Shri Arindam Banerjee, Ld. Judicial Magistrate, 7th Court, Howrah, is present today.

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

Accordingly, the above-named witness is then examined on dock as the PW2, in full and he is then cross-examined in full; and is then discharged.

During the examination-in-chief of the PW2, some materials are marked as exhibits, in the manner as under:

- **Green colored envelope (marked as Exhibit 'A' of FSL, IO marked) - MO-1/PW2.**
- **Signature of PW2 on the green colored envelope (marked as Exhibit 'A' of FSL, IO marked) - MO-1(1)/PW2.**
- **Three micro-SD cards - MO-2/PW2 (3 nos.) (collectively).**
- **Signatures of PW2 on the three micro-SD cards - MO-2(1)/PW2 (3 nos.) (collectively).**
- **Certificate dated 30.04.2025 - MO-3/PW2.**
- **Signature of PW2 on the certificate dated 30.04.2025 - MO-3(1)/PW2.**

There being no other witness present today, the case is adjourned.

The Ld. PP-in-Charge has filed a server copy of order in respect of accused Soraj Kanjar, as passed by Hon'ble Calcutta High Court in C.R.M. (M) 1106 of 2025 dated 07.08.2025, by which the Hon'ble Court has been pleased to reject his bail application. Let it be kept with the record.

At this stage, the prosecution files a petition praying for issuance of direction upon the Administrator, State FSL, Kolkata, thereby asking him to ensure the physical presence of two witnesses namely Dr. Chitrakshya Sarkar and Shri Shamim Haque Mondal, considering the complexity and gravity of the instant case for a free and fair trial.

No such objection has been given by the Ld. Defence Counsels.

Having regard to the averments made in the present petition, and considering that the instant case relates to the offence of child trafficking, which is both grave and complex in nature, I am of the considered view that the physical presence of the witnesses, namely Dr. Chitrakshya Sarkar and Shri Shamim Haque Mondal, for the purpose of giving their testimonies, is indispensable, to ensure a fair and proper trial.

Due to the aforesaid reasons, the petition filed by prosecution today is allowed.

Witnesses namely Dr. Chitrakshya Sarkar and Shri Shamim Haque Mondal should be physically present on the date fixed, to adduce their evidence.

Let a copy of this order be sent to the Administrator, State FSL, Kolkata, at once, for his information and compliance thereof.

On the prayer of the Ld. PP-in-Charge and the Ld. Defence Counsel, fixing **28.08.2025 (at 12.30 PM)** for evidence of the aforementioned two witnesses.

Accused persons in JC as before; and to be produced physically on the next date so fixed.

Typed and corrected by me;

Additional Sessions Judge,
4th Court, Howrah