

Sessions Case No.164 of 2016

Order No.43,

Dated – 29.07.2025.

Accused Husni Mubarak, Biswajit Mallick @ Rupak and Niraj Gupta on bail are present.

Accused Tapas Das, Ratan Paul and Pradip Sarkar filed absent petition

Ld. PP-in-charge and Ld. Lawyers for the accused persons are present.

Two witnesses, namely, Saraswati Sarkar and Sulekha Baidya are present.

Ld. Lawyer for the accused persons, except Niraj Gupta has submitted that on 16.02.2023 he filed a petition for supply of copy of TI Parade and this Court directed the Ld. PP-in-charge to handover the copy of the TI Parade to the Ld. Lawyer for the accused but the said order has not been complied with.

Ld. PP-in-charge has submitted that there is no copy of TI Parade in the case diary and as such, he is unable to comply with the order of the Court.

The Ld. PP-in-charge is requested to comply the order No.15, dated 16.02.2023 by supplying the copy of the TI Parade to the Ld. Lawyers for the accused.

Ld. Lawyers for the accused Pradip Sarkar has submitted that he has no contact with him for a long time and if that be so I have failed to understand why Ld. Lawyer has taken step on behalf of the accused Pradip Sarkar. Ld. Lawyer for the accused has sought for unconditional apology for such mistake. Hence, the representation of the accused Pradip Sarkar under Section 355 of the Cr.P.C. is not accepted.

Issue Warrant of Arrest against accused Pradip Sarkar.

Be it mentioned that in this case charge has been framed against the accused persons under Section 395/397/411/120B of the Indian Penal Code and in such case identification of the accused is very important. Hence, all the accused persons are directed to be present on the next date without fail, otherwise the Court will not hesitate to issue warrant of arrest against them.

The witnesses, so present are discharged without examination in the present circumstance and fresh summons will be issued after supply of copies, as mentioned above and arrest of the accused Pradip Sarkar.

To **29.08.2025** for ER of WA and appearance of the accused persons.

Record need not be put up on 30.07.2025 and on 31.07.2025.

I.O. is directed to inform the witnesses not to attend the Court on the said dates as summons have already been issued.

Dictated & Corrected by me

**Additional Sessions Judge,
3rd Court, Jalpaiguri.
29.07.2025.**

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3rd Court, Jalpaiguri.
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