

SC 187/13 (CIS 884/17)

(Arising out of Alipurduar PS case No. 49/2013 dated 06.02.2013)

Order dated 06.03.2026

Today is fixed for examination of accused under section 313 Cr PC.

3 accused on CB are present by filing appearance.

Ld. P.P. in charge and Ld. Advocate for the accused are present.

The accused are examined under section 313 Cr PC.

Ld PP in charge submits that the inquiry officer who conducted inquest is required to be examined before the court. So, the Ld PP in charge prays for examination of the witness, CSW 17, UD officer, ASI Ajit Dutta of Alipurduar PS under section 311 Cr PC. No objection is raised by the Ld defence counsel.

The exercise of power under section 311 Cr PC should be resorted with object of finding truth or obtaining proper proof of fact.

On perusing the record it appears that CSW 17 is the UD officer who conducted inquest. The inquest report has been placed in the record. Thus, the evidence of the UD Officer is necessary for just and correct decision of this case.

Another application has been filed by the Ld defence counsel praying for examination of witness as defence evidence. The particulars of the witness has been mentioned in the application. Prayer is allowed.

Issue summons upon CSW 17, ASI Ajit Dutta of Alipurduar PS.

Issue summons upon defence witness Bishnu Roy son of Narayan Roy of Madhya Paitkapara, PO- Dakshin Paitkapara, PS Alipurduar, District Alipurduar.

Fixing 17.04.2026 for evidence of CSW 17 and defence witness Bishnu Roy.

Accused as before.

The trial of the instant case is pending for more than ten years.

Issue summons through Nodal Officer, Alipurduar.

Let a copy of the order be sent to the Nodal Officer, Alipurduar

Addl. Dist. & Sessions Judge,  
FTC-I, Alipurduar.

Additional Dist. & Sessions Judge,  
1<sup>st</sup> Fast Track Court, Alipurduar.

