

SC. 214/13 (CIS 928/14)

(Arising out of Alipurduar PS case No. 219 of 2013 dated 22.05.2013)

Order dated 30.01.2026

Today is fixed for evidence of CSW 8 and 11.

Accused absent by filing application praying for dispensing attendance on the ground stated therein. Prayer is allowed.

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

Prosecution witness CSW 11 Ex LSI Kalsang Lamo Sherpa present before the court and examined as PW 7 and CSW 8 Dr Rejaul Minhaz is examined through video conferencing as PW 8.

Ld PP in charge prays for examination of medical officer who had conducted the capability test of the accused.

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 Dr Sukhendu Shekar Das Gupta had conducted the capability test of the accused. Thus, the evidence of the doctor is necessary for just and correct decision of this case.

Thus the prayer of Ld PP in charge for examination of the doctor is allowed under section 311 Cr PC.

Issue fresh summons upon Dr Sukhendu Shekar Das Gupta, Medical Officer of Alipurduar SD Hospital, WBMC Registered No. 38840.

Fixing 06.03.2026 for evidence of Dr Sukhendu Shekar Das Gupta.

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

Additional Sessions Judge, FTC- 1

Alipurduar.

**JO Code WB 01009**

