

SC-69 of 2020
Ref: Mal PS Case No. 366/19 dated 08.10.2019
CNR No. WBJP090000512020
JO CODE: WB00701

Order dated 10.08.2022

Today is fixed for examination of CSW 2 and 3

Accused Samrat Biswas is produced from CCH, Jalpaiguri .

Ld. Lawyer for the accused is present.

Ld. PP in charge is present along with witness namely, Ananda Das who is examined in chief as PW 2 and proved his signature on the inquest report and seizure list marked Ext. 3 and 2/1 respectively. This witness was subjected to cross-examination and discharged.

A report is placed before this Court by SI Arup Debnath of Mal PS stating that the alamat has been sent for RFSL, Jalpaiguri and is not in his possession.

Let the report be kept with the record.

One service return is placed in respect of witness CSW 2 Bappa Banerjee.

The service return highlights that the witness is dead and gone.

The report apparently seems to be vague, evasive and ambiguous.

The report also lack the Official Seal of the Police Station or the Summonee Officer.

The Sumonee Officer is directed to be present to be present with comprehensive report by next date as to why the matter shall not be referred to the appropriate authority for taking necessary action.

Ld. PP in charge files a petition and submits that the alamat has not been produced and prays for passing effective order.

As per prayer of Ld. Lawyer for the accused,

Fix 22.09.2022 for examination of CSW 4 and personal appearance of Sumonee Officer and comprehensive report regarding CSW 2/Bappa Banerjee.

The prosecution is directed to ensure attendance of the witness and production of the alamat if any.

Issue summons accordingly.

Let the copy of the Order be also sent to IC Mal PS for production of alamat

Let the copy of this order be also sent to the Sumonee Officer through I/C Mal PS.

Dict. & Correct. By me

Sd/-
A.S.J.

Sd/-
Addl. Sessions Judge
Mal, Jalpaiguri.

No. /ADJ/Mal/Jalpaiguri

Dated

Copy forwarded to :-

1. The IC, Mal PS for information and necessary action.
2. The Summonee Officer through I/C Mal PS for information and necessary action.

Addl. Sessions Judge
Mal, Jalpaiguri