

In the Court of Sessions Judge, Murshidabad

Present : **Sri Bhaskar Bhattacharjee,
Sessions Judge, Murshidabad
(WB00640)**

Sess. Sl. No. 165/2024

Order no 02, dated 21.03.2024

Today is fixed for appearance of accused persons and confirmation of bail of the accused persons.

Out of four accused persons on CB two accused persons, namely Alamgir Sk and Lutfal Sk are present on call by filing hazira along with their ld. Advocate. One Vokatlatnama has been filed on behalf of them. Let the same be tagged with the case record.

Accused Alamgir Sk and Lutfal Sk file a petition praying for an order to continue them on same bail bond. Copy served.

Ld.PP, Murshidabad and ld. Advocate on behalf of accused persons are present.

Heard both sides. Considered. For the sake of justice the prayer is allowed. They are permitted to remain on same bail bond until further order.

One petition has been filed on behalf of accused persons stating that accused Mala Bibi has already been expired and call for the Death Report. Copy served.

Heard both sides. Considered. For the sake of justice the prayer is allowed.

Call for the Death Report of accused Mala Bibi from the concerned PS.

One petition has been filed on behalf of accused Samsul Sk with a prayer for time for appearance. Copy served.

But none appears on behalf of Samsul Sk on repeated calls.

It is now 03.00 p.m.

Hence the bail bond of accused Samsul Sk is forfeited.

Issue WA against accused Samsul Sk.

Start proceedings u/s 446 Cr.P.C against the sureties.

Let a copy of order along with bail bonds be sent to the Court of ld. Chief Judicial Magistrate, Murshidabad for information.

In this case charge sheet has been submitted against 4 accused persons namely,—

- 1) Samsul Sk S/O Lutfal Sk
- 2) Alamgir Sk S/O Lutfal Sk
- 3) Mala Bilbi W/O Lutfal Sk
- 4) **Lutfal Bibi, W/O Amiruddin Sk** vide CS No. 190/2022, dated 30.07.2022.

During the Course of hearing before the Court an anomaly has been cropped up relating to the identification of the charge sheeted accused No. 4 (as indicated in bold and underline). It appears that one Lutfal Sk has appeared before this Court by filing hazira, in place of charge sheeted accused No. 4 Lutfal Bibi, W/O Amiruddin Sk.

In view of the above, the Learned Chief Judicial Magistrate, Murshidabad is directed to take necessary steps in this regard.

Let a copy of this Order along with the Lower Court Record be sent down to Ld. Chief Judicial Magistrate for taking necessary action with direction to resend the same after necessary rectification.

To 20.05.2024 for receipt of the LCR, appearance of accused persons, ER of WA in respect of accused Samsul Sk and receipt of Death Report in respect of accused Samsul Sk.
Dictated and corrected by me

Session Judge, Msd,

Session Judge, Msd.