

S.SI 63/14 (CIS 1042/14)

Order no. 15 dtd. 08.08.2023

Out of the 8 accused persons 1 accused is present by filing hazira and 7 accused are absent by petition.

Today is fixed for evidence.

One report is received from Murshidabad PD that the SI Bahar Ali Sk, IO of this case is deceased. It appears from the S/R that the prosecution issued summon in the name of the deceased IO on the contrary to the petition filed by the Ld APP on 27.06.23. It also transpires from the record the report was received from RO Murshidabad PD in 17.04.19 regarding the death of IO but no action was taken by the prosecution in this regard.

Let the report be kept with the record.

Ld P.P in-charge and Ld defence counsel are present.

Ld P.P in-charge submitted that inspite of the petition filed by the prosecution on 27.06.23 they failed to bring any appropriate witness contemporary to the deceased IO to prove the requisite documents prepared by the IO since deceased during investigation and to bring the CSW 5, Soma Sil in support of the prosecution case.

Ld P.P in-charge prayed for another date.

Ld defence counsel raised strong objection.

For the ends of justice I am inclined to allow the verbal prayer of the prosecution.

The prosecution is directed to issue notice upon PW5, Soma Sil and to any competent officer contemporary to the deceased IO who was posted in Berhampore PS at that relevant point of time without fail I.d. necessary order will be passed.

Fix 25.08.2023 for evidence of CSW 5, Soma Sil and any other contemporary competent officer from Berhampore PS.

Dictated & Corrected by me

(Smt. Manjusri Mondal)
Additional District Judge,
1st Court, Murshidabad.

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1st Court, Murshidabad.
(J.O. Code no.WB 00614)