

<p>Date of delivery of Judgment: 7th day of May, 2026</p> <p><u>Sessions Case No. 21/2025</u></p> <p>(Details of FIR/Crime and Police Station)</p> <p><i>(Arising out of English Bazar PS case No.397 of 2021 dated 31-03-2021 under Section 302/34 of IPC)</i></p>	
COMPLAINANT	STATE OF WEST BENGAL
REPRESENTED BY	Mr. Rajib Acharjya
ACCUSED	<ol style="list-style-type: none"> 1. Siuli Mandal 2. Baikuntha Mandal @ Chattu Mandal 3. Tarapada Khetrapal @ Karan 4. Urdip Kanjilal @ Chhotu Kinjilal 5. Baisaku Pahari
REPRESENTED BY	Mr. Prabir Jha

Date of Offence	29-03-2021
Date of FIR	31-03-2021
Date of Charge sheet	22-08-2024
Date of Framing of Charges	29-03-2025
Date of commencement of Evidence	18-07-2025
Date on which Judgment is reserved	Nil
Date of the Judgment	07-05-2026
Date of the Sentencing Order, if any	Nil

Accused details

Rank of the Accused	Name of Accused	Date of arrest	Date of release on Bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Period of Detention Undergone during Trial for purpose of Section 428. Cr. P.C
1	Siuli Mandal	17-05-2021	26-06-2021	302/34 of IPC	Acquitted	Nil	N/A
2	Baikuntha Mandal @ Chattu Mandal	17-05-2021	16-08-2021	302/34 of IPC	Acquitted	Nil	N/A
3	Tarapada Khetrapal@ Karan	25-12-2021	19-01-2022	302/34 of IPC	Acquitted	Nil	N/A
4	Urdip Kanjilal @ Chhotu Kinjilal	438 allowed	04-02-2023	302/34 of IPC	Acquitted	Nil	N/A
5	Baisaku Pahari	438 allowed	09-11-2022	302/34 of IPC	Acquitted	Nil	N/A

SESSIONS CASE 21 OF 2025

Accused persons namely **1. Siuli Mandal 2. Baikuntha Mandal @ Chattu Mandal 3. Tarapada Khetrapal @ Karan 4. Urdip Kanjilal @ Chhotu Kinjilal** and **5. Baisaku Pahari** on court bail are present.

Today is fixed for examination of the accused persons u/s 313 of Cr.P.C.

Owing to lack of any incriminating materials on record against any of the accused persons the examination of accused persons u/s.351 of the BNSS. is dispensed with. However, the accused persons are examined in terms of Section 255 of the BNSS.

Heard the prosecution and the defence.

The record is now taken up for passing order.

This instant case was initiated on the basis of a written complaint filed by one Serajul Sk alleging that his son Raju Sk on the basis of one telephonic call went out of the house and thereafter Raju Sk. informed him over phone that some miscreants were hitting him with sharp cutting weapon and on getting such information he along with his daughter Rejina Bibi immediately went to

the spot and found his son lying in bleeding and injured condition and he immediately informed the police and police came and took his injured son to the hospital where he was treated but very soon his son expired.

On the basis of the said complaint English Bazar PS case No.397 of 2021 dated 31-03-2021 under Section 302/34 of IPC was initiated against the above named accused persons.

Investigation followed and after completion of investigation charge sheet was submitted against the above named accused persons under Section 302/34 of IPC vide charge sheet being No. 866/2024 dt. 20-08-2024 under Section 302/34 of IPC.

Subsequently, after compliance of Section – 207 of the Cr.P.C, the case was committed to the Court of Sessions as per the provision of Section 209 of the Cr.P.C. Thereafter, the case was transferred to this Court from the Court of the Ld. Sessions Judge Malda and was received by this Court on 12-02-2025.

In this instant case prosecution examined 07 witnesses including the de facto complainant and 02 doctors and other independent witnesses. The complainant, in his evidence did not utter a word against the present accused persons. None of the witnesses uttered a word against these accused persons. All the witnesses stated that they have no knowledge as to who had murdered Raju.

In my considered view, there is no iota of evidence against the accused persons which calls for their conviction.

In the given premises, the accused persons merit acquittal.

Hence, it is

ORDERED

that accused persons namely **1. Siuli Mandal 2. Baikuntha Mandal @ Chattu Mandal 3. Tarapada Khetrapal @ Karan 4. Urdip Kanjilal @ Chhotu Kinjilal and 5. Baisaku Pahari** are found not guilty of the charge labeled against them and they are acquitted as per the provision of section 232 of the Code of Criminal Procedure.

The accused persons be discharged from their respective bail bond(s), if any; and be set at liberty forthwith but the accused persons shall remain on **fresh** bail bond of Rs.1,000/- each with one surety for six months from this day as per the provisions of Section – 481 of BNSS with direction to appear before the Higher Court as and when such Court issues notice in respect of any appeal or petition filed against the Judgment and if, they fail to appear the bonds shall stand forfeited u/s.491 of BNSS.

The seized *Alamat*, if any, be destroyed after the period of appeal.

Let a copy of the findings be sent to the District Magistrate, Malda as per the provisions of Section 406 of the Code of Criminal Procedure.

Let a *pdf* copy of this judgment be sent to the Chairperson, DLSA, Malda through official mail with a request to inform the victim of his/her right to prefer an appeal availing Legal Aid.

Dictated and corrected by

(Smt. Sushmita Gayen)
Addl. Sessions Judge,
2nd Court Malda
(JO Code - WB 00823)

(Smt. Sushmita Gayen)
Addl. Sessions Judge,
2nd Court Malda
(JO Code -WB 00823)

Later.....

In view of the above order, bond of Rs.1,000/- is filed by surety
----- for accused persons.

The accused persons be released on the bail bond(s) and the surety shall stand discharged on the expiry of 6 months, if the accused persons are not directed by any upper Court to appear before the said upper Court.

Dictated and corrected

by

Sd./- S. Gayen.
Addl.Sesssions Judge, 4th

Court

Krishnagar, Nadia.