

**Sessions Case No. 120 of 2017**

Present : Sri Arun Singha  
Addl. Sessions Judge,  
3<sup>rd</sup> Court, Malda.

**Order No. 119 dated 23-12-2022**

Today is fixed for production, further hearing of the petition and order.

Accused persons Sani @ Sanyrul Sk. and Tahirul Sk. are produced from J.C.

Accused Karimullah Sk. on bail is present.

Ld. Counsels for both sides are present.

Ld. Special P.P. prays for a schedule.

I.O. is present while Learned J.M., 3<sup>rd</sup> Court, Malda who was supposed to be examined today did not turn up.

Received one intimation from the said Learned J.M. along with return of summons served upon him.

Seen the information and the relevant papers annexed therewith.

From the said information, it appears that said Learned J.M. has reported to this court that due to receiving summons after expiry of returnable date, he could not turn up and it is stipulated that on 15.12.2022 he received the summons.

On perusal of the case record it appears that vide order dated 22.11.2022, BWW was against the said J.M. 3<sup>rd</sup> Court, Malda namely, Kuntal Bhattacharya and the case is delayed only for said J.M. Kuntal Bhattacharya who did not turn up since long though I.O. appeared on today.

In the circumstances, after hearing both sides and on perusal of the received intimation from the said Learned J.M. along with return of summons served upon him, this court is of the view that BWW issued against the said J.M. 3<sup>rd</sup> Court, Malda namely, Kuntal Bhattacharya may be re-called and another date may be fixed up providing sufficient time for examination of the said Learned JM and the I.O..

Accordingly, re-call BWW issued against the said J.M. 3<sup>rd</sup> Court, Malda namely, Kuntal Bhattacharya.

Fix **20-02-2023** for production and evidence.

Prosecution is directed to take all necessary steps for ensuring the attendance of the witnesses on the date fixed.

Accused persons Tahirul Sk. and Sani @ Sanyrul Sk. are remanded to J.C., fixing 20.02.2022 for their production.

Accused Karimullah Sk. on bail is directed to appear on the dates fixed.

Dictated and Corrected by me

Addl. Sessions Judge,  
3<sup>rd</sup> Court, Malda.

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