

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE
COURT – II, BONGAON, NORTH 24 – PARGANAS
Sessions Trial No. 02(02)2024**

**Sessions Case No 76 of 2023
(CNR No – WBNP06-000540 – 2023)**

GR – 3543 of 2021

State of West Bengal

– Vs –

Akshyay Kumar Biswas

Ref :- Gaighata P.S Case No. 779 dt. - 29.08.2021

U/s – 376/323/354 of IPC

Present : Sri Pradip Kumar Adhikary (JO Code - WB00916)

**Order No – 02
Dt. 02.09.2024**

Sole accused persons namely **Akshyay Kumar Biswas** on Court Bail is present by filling hazira along with a fresh vokalatnama. Let it be kept in record.

Ld. P.P In-Charge **Sri Bimal Ranjan Sur Roy** is also present on behalf of the State.

Witnesses like Complainant and Nirmal Mondal are present in court today.

Ld. Defence counsel files a petition u/s 223 of Cr.P.C. Copy served. Let it be kept in record.

Complainant files a fresh vokalatnama along with a petition stating that the accused is threatening her. She also files photocopies of few G.D entries. Copy served.

On the other hand accused **Akshyay Kumar Biswas** also files a petition through his ld. Advcoate denying all the allegation against him and also prays for collecting the C.C Tv footage and tower location of his mobile phone to prove his presence at the alleged place and time of occurrence. Copy served.

Let both the petitions be sent to the Officer – in – Charge, Gaighata P.S for taking necessary action and submit a report on the next date fixed.

Present schedule is shifted.

Fix **25.09.2024** for hearing of the petition u/s 223 of Cr.P.C filed by the ld. Defence counsel and submission of report by the Officer – in – Charge, Gaighata P.S.

Accused persons are as on before.

Let a copy of this order along with original petitions filed by the complainant and the accused be sent to the Officer – in – Charge, Gaighata P.S for taking necessary action and submit a report.

D/c by me

**A. S. J, Court – II
Bangaon, North 24 Parganas**

**Additional Sessions Judge,Court – II
Bangaon, North 24 Parganas**

**Order No – 03
Dt. 25.09.2024**

Sole accused persons namely **Akshyay Kumar Biswas** on Court Bail is present by filling hazira along with a fresh vokalatnama. Let it be kept in record.

Ld. P.P In-Charge **Sri Bimal Ranjan Sur Roy** is also present on behalf of the State.

Officer – in – Charge, Gaighata P.S submits report as per order dated 02.09.2024. Let it be kept in record.

Today is fixed for hearing of the petition u/s 223 of Cr.P.C filed by the ld. Defence counsel.

Petition u/s 223 of Cr.P.C is taken up for heaaring.

Heard both sides.

It appears that facts and circumstances of both the case i.e vide this case Gaighata P.S case no. 779 of 2021 and that case vide Bongaon PS case no. 893 of 2021 (SC 219 of 2013) are different. In this case charge-sheet was submitted under section 376/323/354 IPC against one accused person and charge has already been framed whereas in Bongaon PS case no. 893 of 2021 charge-sheet

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was submitted under sections 341/420/406/376/511/323/354/506/34 of IPC. In the above circumstances petition u/s 223 of Cr.P.C is considered and rejected.

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Order No – 03
Dt. 25.09.2024

Fix **08.09.2025, 09.09.2025 and 10.09.2025** for evidence of C.S.Ws.
Prosecution is directed to issue summons accordingly.
Accused person is directed to remain present in court on the next date fixed

D/c by me

A. S. J, Court – II
Bangaon, North 24 Parganas

Additional Sessions Judge,Court – II
Bangaon, North 24 Parganas