

ST 20(8)2024, SC 213 of 2024

Present : Sri Sutirtha Banerjee ADJFTC1 Court , Bongaon North 24
Pgs.(WB00980)

Order No. 11 dated 13-02-2025

Today is fixed for evidence.

Accused person is produced from J/C.

Ld. Public Prosecutor in charge files hazira of C.S.W. 8 Dr Shelly Samanta.

Witness Jagabandhu Biswas(C.S.W.4) who surrenders before Court. He is taken into custody.

Recall B/W/A issued.

Ld. Advocate for surrendered witness abovenamed files prayer for release on grounds stated therein.

Heard. Considered. Considering all aspects and the fact that witness surrendered voluntarily before Court, I am inclined to release his subject to his furnishing P/R bond of Rs.500/- with condition to remain present on this date fixed.

Witness DR Shelly Samanta(C.S.W. 8), Jagabandh Biswas(C.S.W. 4) are examined and cross examined in full and discharged from the case record as PW -6 and P.W. 7.

PM report is marked as Exbt P -5, Signature of P.W. 7 on Carbon copy of inquest report dated 30/4/2020 is marked as Exbt -P -2/1.

No other witnesses are present.

Case is adjourned.

No bail petition being filed for accused, he is remanded to judicial custody.

Fix 07-03-2025 for production of accused person and evidence.

Ld. Public Prosecutor in charge submits that alamat in this case has not been received back from FSL.

Examination of witnesses is almost over and seized alamat needs to be produced for identification by seizure witnesses.

Till date I.O. concerned has not taken any initiative to produce seized articles before the Court. In this back drop it is required to be mentioned that the Hon'ble High Court in **Chakina Khatun Vs State of West Bengal & Anr. CRR 854 of 2011 decision date 12.12.2022** has been pleased to pass specific directions regarding presence of I.O. and his responsibilities during trial.

Mind being fumigated by the solemn order passed by the Hon'ble High Court, the **Investigating Officer is directed to stay personally present before this Court on the next date and he shall ensure that the seized articles are produced before this Court without fail.** If due to some unavoidable circumstances it is not possible for the Investigating Officer to remain present before the Court, he should send a written intimation to that effect and in consultation with the Officer-in-charge of Bagdah police station he ensure that the seized articles are produced and if so required O/C Bagdah police station shall depute any other competent police officer who shall ensure the presence of seized articles before this Court on the next date.

If the Investigating Officer or that concerned Police Officer fails to act in terms of the direction of this Court, the Investigating Officer as well as all officer who will be found derelict shall expose themselves to penal action as indicated by the Hon'ble High Court.

Let a copy of this order be sent to O.C. Bagdah P.S. for his information, communication to concerned I.O.

If the I.O. is transferred/unavailable, O.C. Bagdah P.S. to ensure production of seized alamat on date fixed.

Let a copy of this order be sent to the Superintendent of Police, Bongaon Police District for information with request to look into the matter.

A.D.J. , Fast Track Court, 1st Court
Bongaon, North 24 Pgns