

**In the Court of the Additional District & Sessions Judge, 2nd Court,
Bongaon, Dist.- North 24 Parganas**

Before

Shri Pradip Kumar Adhikary, WBJS,
J O Code (UID No.) - WB916,
Additional District & Sessions Judge,
2nd Court,
Bongaon, Dist.- North 24 Parganas.

**CNR No.- WBNP 0600 2319 2022
SC No.- 347 of 2022
ST No.- 02 (02) of 2023
Arising out of
Bangaon PS Case No.- 384 dated 17/04/2022
Charge framed under section 302 of the Indian Penal Code, 1860**

State

represented by Ld. PP-in-Charge Shri Asit Chandra Dhar
v.

Ashanur Golder @ Haran

represented by Ld. Advocate Shri Biswajit Biswas

Order No.- 16
24/06/2025

Today is fixed for execution report of warrant of arrest of the accused.

The Inspector-in-Charge of the concerned PS neither returned the original warrant of arrest nor filed any execution or non-execution report nor made any correspondence explaining his above conduct.

On the other hand the accused has surrendered voluntarily.

He is taken into custody.

The accused has filed an application praying for bail on the ground that on the date of warrant of arrest there was resolution of the Bar Association and the accused is no earning member of his family.

Heard.

Re-iterating the grounds as mentioned in the bail application the Ld. Advocate has prayed for bail of the accused on any condition.

The Ld. Panel PP-in-Charge has raised objection. He has pointed out that it was the Ld. Advocate who himself prayed for issuance of warrant of arrest against the accused on the relevant date.

Considered the materials on record.

It appears that on 24/06/2025 the Ld. Advocate Shri Biswajit Biswas submitted that since the accused has not been making any contact with him since long, he would not take any steps on behalf of the accused and as such he prayed for issuance of warrant of arrest against the absentee accused.

Subsequently, after waiting till 2-45 PM the accused did not turn up. On repeated calls the accused was found absent and no steps was taken on his behalf.

In the above circumstances warrant of arrest was issued against the accused.

On the next date i.e. on 07/08/2025 in submitting NER the Inspector-in-Charge, Bongaon PS reported that the accused was absconding to evade police arrest.

Today Inspector-in-Charge of the concerned PS neither returned the original warrant of arrest nor filed any execution or non-execution report nor made any correspondence explaining his above conduct.

However, the accused has surrendered voluntarily.

Considering the conduct of the accused and as he misused the liberty of bail, the prayer for bail is refused.

The accused is remanded to judicial custody till next date.

To 09/03/2026 for evidence of CSW Nos.- 01 to 03;

To 10/03/2026 for evidence of CSW Nos.- 04 to 06; and

To 11/03/2026 for evidence of rest CSWs in terms of section 231, Cr.P.C.

The Superintendent of the concerned Correctional Home is directed to produce the accused on the next date.

In compliance with the mandates of the Hon'ble Apex Court as well as our Hon'ble Court the Investigating Officer is directed to remain present during trial.

The Investigating Officer is also directed to keep the witnesses present in Court.

The Officer-in-Charge of the concerned Police Station is directed to ensure the presence of the Investigating Officer on the date(s) fixed along with witness(es).

If due to some unavoidable circumstances it is not possible for the Investigating Officer to remain present before the Court, the Officer-in-Charge shall depute any other competent police officer who shall ensure the presence of witnesses before the Court on the date of recording of evidence.

It is the duty of the Investigating Officer to protect the witnesses and ensure their presence before the Trial Court, for taking to its logical conclusion. It will help both the victim and the accused person, to have speedy justice which pertains to their right to life as well.

The prosecution is directed to issue process for compelling the attendance of the witnesses and / or the production of the document or thing, if any and to inform the Investigating Officer.

Let a copy of this order be sent to the Officer-in-Charge of the concerned Police Station for compliance.

The Bench Clerk is directed to do the needful at once.

Typed by me

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