

Spl (POCSO) 23 of 2022

**Present:- Smt Leena Goldar J.O Code : WB 00894
Judge,Spl. Court (POCSO Act) , Basirhat**

Order No. 47 dt. 27.02.2024

Today is fixed for cross-examination of P.W.8 on behalf of accused Sahar Ali Sardar @ Sagar by the ld. advocate to be appointed by SDLSC as the previously appointed advocate by the SDLSC, Basirhat i.e Shri Arpan Halder on the previous date refused to cross examine P.W.8 on the ground that the court did not wait for him during the examination in chief of P.W.8 while he was busy in ADJ, FTC 1 court of Basirhat wherein the 313 of the accused of Section 14 Foreigners Act was going on.

Accused person namely Sahar Ali Sardar @ Sagar is produced from J.C and is taken into custody and remanded to J.C till next date .

Accused Rojina Bibi on C.B is present by filing hazira along with his ld lawyer. One petition has been filed on her behalf intimating her place of aboding therein, in compliance of order passed in CRM (DB) No.4806 of 2023 of Hon'ble High Court ,Calcutta . Let it be kept with the record.

Mr. Asraful Islam is appointed as the advocate for the accused Sahar Ali Sardar @ Sagar by the SDLSC, Basirhat. Subsequently one fresh power has been filed on behalf of accused Sahar Ali Sardar @ Sagar by Shri Arpan Halder.

Medical report in respect of Accused person namely Sahar Ali Sardar @ Sagar is received from Superintendent Dum Dum Correctional Home, vide his letter no. 2024/AB-II(Medical) dt. 26.02.2024 where from it reveals that the accused person Sahar Ali Sardar @ Sagar is suffering from Tuberculosis. The Superintendent of Dum Dum Correctional Home is directed to take proper care for the treatment of the accused in accordance with Jail Code.

Ld. Spl. P.P though files hazira but he is found absent on call during hearing.

The Ld. Advocate for the de facto complaint has submitted that the witness will not come today as the police has communicated him that the witness will not come to court today due to his illness.

It is now 2.15 P.M. No petition is filed on behalf of the ld Spl. P.P that the witness has any difficulty to remain present in the court today. The record reveals that witness has knowledge regarding the date of his evidence today but in spite of that neither the Special P.P himself is present in the court room nor he has filed any petition for the absence of the witness stating any reasonable ground of his absence. Therefore, issue W.A against the witness.

To date for E.R of W.A and Production.

Dictated & corrected by me

Judge,Spl. Court (POCSO Act)
Basirhat, North 24 Parganas

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