

S.C. No.22 of 22 (22 of 22) (ST No.13 of 22)

**In the Court of the Additional Sessions Judge
1st Court, Purulia.**

Present : Smt. A. Bandyopadhyay,
Addl. Sessions Judge, 1st Court, Purulia.

1)

12.04.2022.

Today is fixed for consideration of charge. The sole accused person namely, Badal Mahato is produced today from custody.

The record is taken up for framing of charge against the accused person.

Ld. Addl. PP as well as Ld. Defence Counsel are present before the court.

Ld. Addl. P.P. opens his case in support of the charge.

Heard the Ld. Addl. P.P as well as Ld. Advocate appearing for the accused person.

Perused the case diary and other materials on record. Considered.

Ld. Addl. P.P. in-charge submitted that on 05.11.2021 at about 10.00 a.m. in the morning defacto complainant Rabibal Baskey heard hue and cry of his son Ramesh Baskey (9 years) and went towards his house and at that time he saw that his son and wife were running towards Pulbandha (Culvert), and he also followed them and came to know that Badal Mahato of village Belma assaulted his father Sahadeb Baskey with sharp cutting weapon due to some previous grudge. Thereafter the defacto complainant went to the place of occurrence and found that his father is lying there beside the road (beneath the culvert) with bleeding injuries and came to know that accused Badal Mahato assaulted him by coming in a bicycle and fled away. Thereafter, father of defacto complainant was admitted in Purulia Sadar Hospital for treatment where the victim succumbed to his injuries.

On perusal of the materials on record, it appears that there are sufficient grounds i.e. prima facie materials for framing of charge against the accused person namely, Badal Mahato under section 302 I.P.C.

Charge is framed in a separate sheet of paper against the accused person, under section 302 I.P.C.

Let the separate sheet be kept with the record.

The particulars of charge has been read over and explained to the accused person, in vernacular language, to which the accused person pleaded not guilty by saying “Ami Nirdosh” and claimed to be tried.

The schedule of trial is fixed hereunder :

To 20.06.2022 for evidence of C.S.W No.1.

To 21.06.2022 for evidence of C.S.W No.2.

To 22.06.2022 for evidence of C.S.W No.3.

Let the accused person be remanded to J/C till next date.

Prosecution to furnish process for issuing summons upon the witnesses at once. Issue summons accordingly.

I.O is directed to monitor the trial and ensure the presence of the witnesses and production of alamat in the Court during trial.

Let a copy of the order be sent to the O.C of the concerned P.S for information and necessary action.

Dictated and Corrected by me

Addl. Sessions Judge
1st Court, Purulia.

Addl. Sessions Judge
1st Court, Purulia.

Later
12.4.2022

Ld. Addl. PP filed a petition today for giving necessary direction to the IC, Purulia(M) PS for collection of offending weapon with the report of FSL.

The said petition is taken up for hearing.

Heard Ld. Addl. PP.

No objection is raised by Ld. Defence Counsel.

Perused the CD and the materials on record.

It appears that the IO has sent the exhibit of this case including the wearing apparel of the deceased, one iron made ‘Batali’ with plastic handle etc. for chemical examination before the Director cum Senior Chemical Examiner,

Forensic Science Laboratory, (Government of West Bengal), 37/1/2 Belgachia Road, Kolkata-37 and the report of Chemical Examination along with the exhibits as per the charge sheet have not yet been received. It is submitted by Ld. Addl. PP that the said weapon along with the other materials like wearing apparel etc. are very much needed on the very first day of evidence i.e. at the time of examining the defacto complainant (CSW-1).

Under such circumstances Ld. Addl. PP prayed for a direction upon the OC of concerned PS for collection of the report and the articles which were sent for Chemical Examination.

Considering the materials in the CD and in the charge sheet the prayer of Ld. Addl. PP is allowed.

Let the IC of Purulia(M) PS be directed to depute a police personnel for the purpose of collection of the materials (which were sent by the IO of this case for Chemical Examination) and reports in connection with this case before the commencement of the trial on and from 20.06.2022 from Forensic Science Laboratory, (Government of West Bengal), 37/1/2 Belgachia Road, Kolkata-37.

Let a copy of this order be sent to IC of Purulia(M) PS for compliance.

Todate for evidence.

Dictated and Corrected by me

Addl. Sessions Judge
1st Court, Purulia.

Addl. Sessions Judge
1st Court, Purulia.