

Sessions Case No.407 of 2013
Sessions Trial No.16 of 2014

J.O. Code-WB691

Order No.57
Dt.15.07.2022.

The accused Nimai Chandra Mahato is present and the other two accused persons namely Hemanta Mahato and Gobinda Mahato are absent by petition.

It appears from the case record that in this case charge was framed on 30.04.2014 against three accused persons namely Nimai Mahato, Hemanta Mahato & Gobinda Mahato for offence u/s.302/34 IPC and thirteen (13) witnesses have already been examined.

From the order no.26, dt.12.08.2015 it appears that on the basis of a prayer from prosecution u/s.173(8) Cr.P.C., the Superintendent of Police, Purulia was requested to cause further investigation of the instant case.

Order no.40, dt.26.10.2017 shows that subsequently two persons namely Chandi Charan Mahato and Gopal Chandra Mahato were arrested at the time of further investigation and they were taken into custody by this court as accused persons of this case.

Order no.45, dt.10.11.2017 shows that two other accused persons namely Bir Singh Mahato & Joy Singh Mahato surrendered before this Court as their prayer for anticipatory bail was allowed by the Ld. Sessions Judge.

It also appears from Order no.47, dt.02.02.2018 that the I.O. submitted Supplementary Charge Sheet against four more accused persons namely Bir Singh Mahato, Joy Singh Mahato, Chandi Charan Mahato & Gopal Chandra Mahato.

Order No.52, dt.20.11.2018 shows that as one of the accused persons namely Bir Singh Mahato was a Member of Parliament at the time of occurrence of the alleged offence, the entire case record was transferred to the Special Court at Barasat, North 24 Parganas.

Order No.53, dt.08.02.2022, it appears that during the pendency of

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the instant case in the Ld. Spl. Court to deal with MP's & MLS's cases the accused Bir Singh Mahato expired and as such the case record was returned to this Court.

So, at present the accused persons of this case are 1. Nimai Mahato, 2. Hemanta Mahato, 3. Gobinda Mahato, 4. Joy Singh Mahato, 5. Chandi Charan Mahato and 6. Gopal Chandra Mahato.

Record also shows that charge has not yet been framed against the accused persons namely 1. Joy Singh Mahato, 2. Chandi Charan Mahato and 3. Gopal Chandra Mahato. So, in order to roll the case in its proper channel charge must be framed against those three accused persons who were subsequently arrested.

Ld. Advocate for the accused persons namely 1. Joy Singh Mahato, 2. Chandi Charan Mahato and 3. Gopal Chandra Mahato submits that they had preferred a Revisions Application before the Hon'ble High Court, Calcutta, challenging the order no.26, dt.12.08.2015 vide **case No.CRR 321 of 2022 (CRAN 1 of 2022)** but the Ld. Advocate failed to submit the present status of the said case.

Under the circumstances, the case is adjourned for the time being.

The Ld. Advocate for the accused persons is requested to submit the present status of **Case No. CRR 321 of 2022 (CRAN 1 of 2022)** pending before the Hon'ble Court.

To 11.08.2022 for appearance of all the accused persons and further order.

D/C by me

Sd/-Anirban Das
Addl. Sessions Judge,
3rd Court, Purulia,

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