

Present : Shri Soumen Sarkar,
Additional District & Sessions Judge,
3rd Court, Purulia.
JO Code- WB00889.

Sessions Case No.205 of 2022
Sessions Trial No. 131 of 2022 (CIS)

Order No. 11
Dated 07-10-2023

This day is fixed for evidence of CSW no. 13 .

All three accused persons of this case namely, Saumitra @ Rana Banerjee, Sundar @ Bhairab Bauri and Biswajit @ Bhuka Mardanya are produce from CH and taken into custody.

Accused Sundar @ Bhairab Bauri and Biswajit @ Bhuka Mardanya have filed their V. nama.

Ld. Advocates representing all three accused persons are present.

Ld. PP-in-charge is present with CSW 13 namely Paltu Kumbhakar and has filed hazira.

The above name witness has been examined by the prosecution as the P.W.1 infull and the said witness was discharged after his cross-examination in full by the defence.

During his examination three signatures of the P.W.1 on his statement recorded u/s 164 Cr.P.C on 30.06.2022 were marked as Exhibit P- 1/1, 1/2 and 1/3 / P.W.1.

At this juncture the Ld. P.P in-charge made a prayer for marking the statement of Paltu Kumbhakar u/s 164 Cr.P.C dated 30.06.2022 as Exhibit of this case dispensing the formal proof of the same.

Ld. Defence counsels did not raise any objection .

In view of the provisions of Section 294 of the Cr.P.C I do not find any impediment to allow the prayer of the prosecution to mark the statement of Paltu Kumbhakar u/s 164 Cr.P.C dated 30.06.2022 as Exhibit of the case.

Accordingly, the prayer of the Ld. P.P in -charge is hereby allowed.

Let the statement of Paltu Kumbhakar u/s 164 Cr.P.C dated 30.06.2022 be marked as Exhibit P- 1.

Ld. P.P in-charge has filed another petition praying for a direction upon the direction of FSL, Calcutta for submitting the report expeditiously and to return the seized articles so that the progress of this trial is not haltered.

Perused the petition and it is deciphered that the seized articles were sent to FSL at Balgachia, Calcutta 37 for chemical examination vide CMR No. 203/2022 dated 19.07.2022. It is pertinent to note here that the trial of this case has commenced and without the seized alamats of the case the trial cannot progress and as such, the Director cum Senior Chemical Examiner, Forensic Science Laboratory, Government of West Bengal, Kolkata 37 should be appraised with the request to submit the report and to return the seized articles at the earliest.

Accordingly, the Director cum Senior Chemical Examiner concerned is hereby requested to do the needful for submission of report and return of seized article as soon as possible.

The IO of this case is directed to approach the FSL authority concerned with the copy of this order to intimate the authority about the status of this case.

Let a copy of this order be supplied to the IO of this case for information and necessary compliance.

Accordingly, the case is adjourned today.

Fix 04.12.2023 for evidence of CSW Nos.1 & 2.

05.12.2023 for evidence of CSW Nos.3 & 4.

06.12.2023 for evidence of CSW Nos.5 & 6.

Issue summons upon the witnesses accordingly.

Alamat of this case, if any, be produced on the next date.

The above named three accused persons are remanded to CH with the direction to produce the accused person before this Court on the next schedule.

D/C by me

**Addl. District &Sessions Judge,
3rd Court, Purulia.**

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