

S.T. No. 01(10)2023
SC -46(06)2023 [R-321/2023]
CNR No: WBSP01-010602-2023
Present: Subhra Som Ghosal (J.O Code: WB00984)

Order No.11 dated: 03-05-2024.

Accused persons namely Arunabha Patra and Arjun Das have been produced from J/C.

As stipulated by the previous order today is fixed for evidence.

One witness namely Ananda Basak is present today and his presence has been marked by the Ld. Public Prosecutor-in-charge by filing her hazira.

On call Ld. Advocate for the accused person as well as the Ld P.P appointed for this case are found to be present.

Hence the case record is taken up for recording of evidence.

Witness namely Ananda Basak is examined-in-chief by learned P.P-in-charge in full as PW-03. At this stage cross examination of PW-03 is deferred as prayer of learned Advocate for accused u/s 231(2) of Cr.P.C has already been allowed by this Court.

The evidence has been duly taken down following the mandate of Section 276 of the Criminal Procedure Code 1973 read with Rule 133A of the Court Criminal (Subordinate Courts) Rules, 1985 [as amended vide Hon'ble High Court's Notification No. 2301-G date 14th July, 2022 in view of the judgment passed by the Honourable Supreme Court in Suo Moru Writ (CRL) No (S) 1 of 2017] and signed by me. Such evidence is read over and the explained to the witness in Bengali, in presence of the Ld. Advocate for the accused persons and the Ld P.P-in-Charge. No objection was raised by any of the parties. Let the deposition of the witness be made part of the case record. The cross examination of witness (PW-02) being not concluded, she is directed to appear on the next date.

Be it mentioned here that the evidence was recorded in English. No translator is available with this Court and the parties to the case did not claim any translated copy of the same and for that reason a translation thereof is dispense with as per proviso clause of Section 277 of the Criminal Procedure Code 1973. Hard copy of the testimony so recorded duly signed to be a true copy by the B.C-1, has been made available free of cost against receipt to the Ld. Advocate for the accused persons, to the witness and the Ld P.P-in-Charge as per Rule 135(3) of the Court Criminal (Subordinate Courts) Rules, 1985 [as amended vide Hon'ble High Court's Notification No. 2301-G date 14th July, 2022 in view of the judgment passed by the Honourable Supreme Court in Suo Moru Writ (CRL) No (S) 1 of 2017].

Accused person be remanded to J/C.

Fix 04-05-2024 for production of accused persons and cross examination of PW-03.

Typed to the dictation directly;
corrected on the system.

Sd/-Subhra Som Ghosal
Additional District and Sessions Judge,
01st Court, Alipore, South 24 parganas.

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