

CNR No: WBSP010120262023
Present: Subhra Som Ghosal
J.O Code: WB00984
ST - 02(02)2024
SC Case No: 34 (08) of 2023

Order No. 03, dated: 05-04-2024.

All that the accused persons namely **A1) Mainuddin Molla @ Madhu @ Mahiruddin Molla @ Bhadu, A2) Sukur Sk @ Sukur Ali Sk, A3) Ajaruddin Sk, A4) Ayamad Ali Sanpui, A5) Bapi Molla, A6) Pintu Molla, And A7) Aizul Jamadar@ Molla** have been produced from J/C.

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

On call learned lawyers for the accused persons, de facto complainant as well as the Ld. Public Prosecutor-in-charge appointed for this case are found to be present.

One witness namely Afsana Bibi is present and hazira has been filed by the Ld. Public Prosecutor-in-charge.

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 Afsana Bibi is examined-in-chief in full by the learned P.P-in-charge as PW-01. At this stage learned advocate for the accused filed a petition under 231 of Cr.P.C praying for deferring cross examination of PW-1. Let the petition u/s 231 of Cr.P.C be kept with the case record.

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 the witness being not concluded, the witness 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].

Fix 29-04-2024 and 30-04-2024 for hearing of the petition u/s 231 of Cr.P.C and further evidence.

The accused persons are remanded to J/C till dates

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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