

Special Case No.281/2023
CNR – WBSP01-012998-2023

Ref.:Jadavpur PS Case no: 150/2023 Dated : 11.08.2023

U/s 302/34 of I.P.C read with Sec 12 of the Protection of Children from Sexual Offence Act 4 of the West Bengal Prohibition of Ragging in Educational Institute Act, 2000

Present :Mir Rashid Ali (JO Code - WB00701)
Judge-in-Charge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.
State Vs. Sourav Chowdhury & Ors

Order No.07
Dt.03.10.2023

Today is fixed for hearing of an application.

Heard both sides.

Learned lawyer for accused Sk. Nasim Akhtar filed a petition u/s 41D of Cr.P.C praying for allowing learned advocate namely Ariful Murshid to remain present in the Correctional Home during interrogation of the accused person by the I.O as envisaged u/s 41D of Cr.P.C. It is submitted by a filing petition that learned advocate shall cooperate with the Investigating Agency and will not do any act which may hamper the interrogation.

Learned Special P.P-in-Charge raised objection on prayer of the learned advocate u/s 41D of Cr.P.C.

Perused the petition filed by learned advocate and statue u/s 41D of Cr.P.C.

In the light of the statue, u/s 41D of Cr.P.C the accused person is entitled to meet advocate of his choice during interrogation though not through out interrogation. In the light of the statue, prayer of learned advocate is considered and allowed.

Learned advocate for accused Mr. Ariful Murshid is permitted to watch the proceeding through VCS in a distant place without hampering the interrogation.

The Controller is directed to make necessary arrangement in this regard allowing learned advocate to watch the proceeding through VCS.

Let a copy of this order be sent to the Superintendent, Presidency Correctional Home for information and taking necessary action.

To date i.e.07.10.2023 for production of the accused persons and and I.O's report.

D/c by me.
Sd/- Mir Rashid Ali
Judge-in-Charge, Special Court &
2nd A.S.J., Alipore.

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