

Special S.T. No. 03(02)2024
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 : Rimpa Roy (JO Code - WB00822)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

Order No. 25

Dt. 06.02.2025

Accused persons namely 1. Sourav Chowdhury, 2. Dipsekhar Dutta, 3. Manotosh Ghosh, 4. Asit Sardar, 5. Saptak Kamilya, 6. Md. Asif Afzal Ansari, 7. Ankan Sarkar, 8. Md. Arif, 9. Sumon Naskar, 10. Satyabrata Roy, 11. Sk. Nasim Akhtar and 12. Himangshu Karmakar are produced before this Court from J/C through VCS.

Today is fixed for further evidence of PW 9 / CSW-23 Tapan Kumar Jana. Witness Tapan Kumar Jana is present and his examination-in-chief is complete. He is cross-examined in part and on the prayer of the defence his cross-examination is deferred.

During his examination-in-chief some materials, documents and signatures are marked as MO – 34 as a whole, MO – 35 as a whole, Exhibit P-30/1, P-31 (with objection), P-32 (with objection), P-33 (with objection) and MO - 25. Witness is discharged with a direction to be present on the next date fixed.

Received the report from the Superintendent of Presidency Correctional Home in respect of the medical condition of UTP Md. Arif.

Perused the report of the Senior Medical Officer. In view of the said report **Superintendent, Presidency Correctional Home is directed to make necessary arrangement for providing medical facility to the accused Md. Arif at R. Ahamed Hospital on urgent basis.**

At this stage one application has been filed on behalf of accused Dipsekhar Dutta through his Learned Advocate whereby a prayer has been made for granting parole to the accused for attending the Batsarik Sradhya Ceremony of his father which is scheduled to be held on 27.02.2025 and 28.02.2025.

The application, so filed, is taken up for hearing in presence of the Learned Special PP.

It is submitted by the Learned Counsel for the accused that the accused being the only son has to perform the Batsarik Sradhya Ceremony of his

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father as per the tithi and he has prayed for necessary directions upon the Superintendent of Presidency Correctional Home to make necessary arrangement for performing the said rituals at the residence of the accused at Bankura under proper police escort.

Heard Ld. Advocate for the accused and Ld. Special PP.

Perused the petition and materials available on record.

It appears from the record as well as from the submissions of the Ld. Advocate for the accused that the father of the accused Dipsekhar Dutta died on 09.03.2024 and as per tithi Batsarik Sradhya of the father of the accused is scheduled to be held on 27.02.2025 and 28.02.2025. Having considered the facts and circumstances I am inclined to allow the prayer of the accused.

Accordingly, the Superintendent of Presidency Correctional Home is directed to make necessary arrangements so that the accused Dipsekhar Dutta can perform the Batsarik Sradhya Ceremony of his deceased father at his residential place at Bankura which is scheduled to be held on 27.02.2025 and 28.02.2025 in accordance with law. He is further directed to take the assistance of local Police Stations as well as the Jadavpur PS in this regard.

He is further directed to file a report on the next date fixed.

Let a copy of this order be sent to the Superintendent Presidency Correctional Home for his information and necessary steps.

Let the accused persons be remanded to J/C till the next date.

To **07.03.2025** for production of the accused persons from J/C and further cross-examination of PW 9 / CSW-23 Tapan Kumar Jana.

D/c by me.

Sd/-

Judge, Special Court &
2nd A.S.J., Alipore

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Alipore, South 24-Parganas.

(Later...) Order Dt. 06.02.2025

Received copy of Order from the Hon'ble High Court at Calcutta in connection with CRM (DB) 2985 of 2024 vide Hon'ble Court's Memo No. 247 dated 01.02.2025.

On perusal of the Order it appears that Hon'ble High Court had been pleased to conclude the trial of the case within six (6) months with the observation *"1. Status report filed by the State is taken on record. The report indicates that 15 more witnesses will be examined by the prosecution notwithstanding that the charge sheet mentions 86 witnesses, The trial should be concluded within six months."* *"4. Since the State has stated in its report that the trial should be concluded within six months, we request the learned trial Judge to make all endeavours to conclude the trial within the time period indicated in the status report. In the event the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail."*

At this stage prosecution has filed a list of **witnesses (18)**. Let it be kept with the record.

To date.

D/c by me.
Sd/-

Judge, Special Court &
2nd A.S.J., Alipore

Sd/-
Judge, Special Court &
2nd A.S.J., Alipore.