

18/04/2026

JO Code WB01270

Today is fixed for order.

Out of four accused on court bail, three are present and one is absent. Petition is filed on behalf of absent accused.

Record is taken up for passing order.

The instant case is based on the FIR bearing Kakdwip PS case no. 171 dated 06/5/2011. The IO carried out a detailed investigation and filed CS bearing no. 198/2011 dated 29/06/2011 u/s 448/354/323/34 of IPC.

On 27/03/2017 accused persons ere examined u/s 251 Cr.P.C. They pleaded not guilty and the record was fixed for evidence. But even after getting numerous opportunities the prosecution failed to produce and examine the De facto complainant cum sole victim of the case.

Dee facto complainant was not found at the address provided in the FIR, Formal FIR and the CS. The prosecution provided another address, but Defacto complainant was also not found at the address. Even after getting opportunities till 11/03/2026, the prosecution failed to produce and examine the De facto complainant cum sole victim of the case. Examination of remaining witness would have been futile as the victim herself is untraceable. Thereafter, this court was forced to close the evidence.

As already highlighted the prosecution failed to produce and examine the De facto complainant cum sole victim of the case. The accused persons are facing trial for nearly 16 years. There is no materials to show that accused persons committed the offence they are charged with.

In view of the above, it is

**ORDERED**

That all four accused persons are acquitted u/s 248(1) of Cr.P.C.

The sureties are discharged from their bail bonds.

The case is disposed of.

Note in TR.

D/C by me

ACJM Kakdwip

ACJM Kakdwip