

Sessions. 01/2016
CNR WBUD01-000101/2016

Present:- Sri Subhasis Ghosh (WB00579)
Sessions Judge, Uttar Dinajpur at Raiganj

64/13.09.2022

Two accused persons on C/B are present by filing hazira.

Witness namely Mojiur Rahaman adduced evidence as PW 9 and his examination-in-chief is deferred on the prayer of prosecution.

During his examination the sealed envelop sent by Jr. Scientific Officer, CFSL, BFSS, MHA, Government of India , Kolkata -14 submitted by Circle Inspector, Itahar Circle, Dist- Uttar Dinajpur Addressed to this Court is opened today in presence of ld Advocates for both sides. Subsequently it was re-sealed without taking anything therefrom. Thereafter one light green coloured envelope was opened in presence of ld Advocates of both sides which contained one envelope bearing no.SE7A(brown coloured) noting Memo no. CFSL(K)(EE/2014(WB)-2017 dated 25.02.2016. Thereafter the aforesaid envelop baring no.SE7A is opened in presence of Ld Advocates for both sides and the envelope (yellow coloured) content therein having Exhibit- A,B,C, D and E addressed to the Director, CFSL, Kolkata-14 is taken out from the said brown coloured envelope. Thereafter Yellow coloured envelope is opened in presence of Ld Advocates for both sides as per request of ld Public Prosecutor but nothing was taken out. All the three envelopes were re sealed.

One application has been filed u/s 311 Cr.P.C by the Prosecution.

The trial of this case be re-scheduled as per following programme:

Fix 08.12.2022 for further evidence of PW 9.

Fix 09.12.2022 for evidence of CSW 13.

Issue summons accordingly.

Both the accused persons must remain present on the date fixed for evidence.

The aforesaid petition filed u/s 311 Cr.P.C will be heard on 08.12.2022, objection if any to be filed in the mean time.

IO of this case is hereby directed to remain present on the dates so fixed for evidence.

Prosecution is instructed to inform the IO.

Dictd. & cortd.

S.J.

Sessions Judge, U/Dinajpur.

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Later,

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Prosecution has filed one application praying for certified copies of the depositions of P.W.6, 7, 8 and 9 free of cost.

It is submitted by Ld Public Prosecutor Specially appointed submitted that the prosecution is entitled to get certified copy of the deposition of the witnesses in terms of Rule 135 of Calcutta High Court Criminal(Subordinate Courts) Rule 1985 as amended in 2022.

The aforesaid petition is considered and allowed.

Let the depositions of P.W.6, 7, 8 and 9 be supplied to the prosecution free of cost.

Bench clerk do the needful.

Dictd. & cortd.

S.J.

Sessions Judge, U/Dinajpur.