

Sessions. 28/2017
CNR WBUD01-000314/2017

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

57/18.08.2022

Sole accused on C/B is absent today by filing an application u/s 317 Cr.P.C.. The same is considered and allowed for the ends of justice.

Today is fixed for evidence of CSW 9, IO SI Md Mustafa Ali. He is absent today on the ground of his engagement in law and order duty as reported by I/C Kanki OP.

Record speaks that the aforesaid IO is not appearing before this Court since long. This session case is pending since 2017 AD. This Court is not in a position to conclude the trial due to non-appearance of the aforesaid IO. Engagement in law and order duty by a police officer is not a good ground for non-appearance in a Court of law to adduce evidence as a prosecution witness.

To secure his attendance as a prosecution witness a bailable warrant should be issued against him.

Ld Public Prosecutor also submitted that necessary order can be passed to secure his attendance.

Accordingly, fix 21.11.2022 for appearance of accused person and evidence of CSW 9 SI Md Mustafa Ali.

Issue bailable warrant of Rs.10,000/- against CSW 9 SI Md Mustafa Ali.

The aforesaid bailable warrant be sent to the Superintendent of Police, Islampur Police District for execution.

Let a copy of this order be sent to Superintendent of Police, Islampur Police District for information and taking necessary action.

Dictd. & cortd.

S.J.

Sessions Judge, U/Dinajpur.