

Sessions Case No -28/2017
CNR No. WBUD01-000314-2017
J.O Code No.WB01277
(Itahar P.S Case No. 417 of 2016 dated 15-10-2016)

Order No.68

Dated: 16.11.2024

Accused **Abhisek Sarkar @ Avisekh Sarkar** on bail is present by hazira.

Record is taken up for evidence.

Today is the date fixed for evidence of CSW-9 being SI Md. Mustafa Ali.

No witness has turned up today before the Ld. Court.

The case record is an old one.

There is no information from the IO as to what prevented him to appear before the Ld. Court today in compliance of the order passed by this Ld. Court earlier.

On perusal of the case record, I find that initially vide order dated 13.05.2022 the IO was directed to appear today in connection with his evidence and the record reveals further that the several orders were communicated to the IO on a number of occasions. In spite of the repeated communication, the IO deliberately absented himself from the court proceeding thereby flouting the order passed by the Ld. Court. Such a practice is a derogatory one and impinges upon the tendency of the IO being a Govt. Official to disregard the process of the Ld. Court. Moreover, the dilatory tactics adopted by the IO to avoid fulfilling his legal obligations shall not be tolerated or condoned by this Ld.Court.

On account of such conduct of the IO, I think that a penal order needs to be passed against him for his willful non-compliance of the judicial order.

By harping on the aforesaid observations, I am inclined to issue Non-Bailable Warrant against the IO with immediate effect.

Accordingly, **issue Non Bailable Warrant against the IO namely SI Md. Mustafa Ali.**

SP, Raiganj Police District is asked to ensure the execution the Non-Bailable Warrant against the said official being the IO, SI Md. Mustafa Ali by any senior official and to ensure his presence before the Ld. Court positively on the next date without fail.

It is made clear that non-compliance of this order will be viewed very seriously by the Ld. Court and will invite necessary stringent consequences for the delinquent official being the IO, **SI Md. Mustafa Ali.**

To **20.11.2024** for ER of Non-bailable Warrant and evidence of CSW-9, SI Md. Mustafa Ali.

Office is directed to immediately put this order in transmission to the SP, Raiganj Police District.

Dictated and corrected.

Sessions Judge
Uttar Dinajpur at Raiganj

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Uttar Dinajpur at Raiganj

