



Order No. 16/18.04.2024

Today is fixed for appearance and death report of accused Sisir Thokdar.

The 17 accused persons on bail 15 are present and remaining 2 namely Uttam Sarkar and Biswajit Thikdar are absent but represented by their Id. Advocate as per section 317 of the Cr.P.C.

Ld. PP-in-charge is present.

A report is received from the Itahar P.S. with note by one C-71 B. Thapa that "উক্ত ব্যক্তির স্বামীর হাতে মমত্ব চি দেওয়া হল" and one photocopy of death certificate of the accused Sisir Thokdar was attached. The said document was endorsed by one ASI S.Roy of Itahar P.S. Let it be kept in the record.

Ld. Advocate for the accused persons are also present.

The report is not a death report of the accused. Still considering the age of the case and the photocopy of the death certificate, let the accused Sisir Thokdar is filed for ever from the case. Note accordingly.

Now this court thinks fit to interfere in the report sent by the Itahar P.S. as everything and every wrong activity of the police can not be taken for granted.

The court never issued any summons to anyone in connection with this issue. The court has only called for a death report of the accused from the I/C Itahar P.S. and for compliance a copy of order sheet dated 23.02.2024 was sent to the I/C Itahar P.S. for compliance.

The endorsement note has been made on the backside of the said copy of order sheet. It is not a summon. Further such copy of ordersheet was supplied to husband of a concerned person namely one Prasanta Mondal by said constable C-711 B THapa.

Again the death report of a male accused Sisir Thokdar was called for but how the copy of ordersheet (mentioned as 'Summon' by said constable B. Thapa) be handed over to husband of said male accused Sisir Thokdar and how Prasanta Mondal be husband of concerned death male persons Sisir Thokdar.

The court is astonished to note that such an endorsement was forwarded by one ASI S. Roy of Itahar P.S. Generally anything forwarded from any P.S. to the court, be forwarded by concerned I/C or OC of the P.S. The Court fails to understand whether said ASI S. Roy is the I/C of the Itahar P.S. or not.

And if ASI S. Roy is the I/C of the Itahar P.S., then he has no knowledge how a death report is prepared and how it can be forwarded to the Court.

And if said S. Roy is not the I/C of the Itahar P.S., then it is appeared that there is no requirement of the post of the IC Itahar P.S.

as there is nothing left to do by him and further that he has not control over the P.S. as to its functions.

And if there exists any such post of IC, Itahar P.S. then it should be immediately wiped out/withdrawn which will save public money.

Considering all, this court thinks fit to direct the I/C Itahar PS, ASI S. Roy and C/711 B Thapa of Itahar PS for their personal appearance and written explanation on the matter. The explanation must be supported by relevant documents.

Fix 20.06.2024 for appearance and evidence of C.S.W.1 and personal appearance with written explanation of the I/C Itahar PS, ASI S Roy and C/711 B Thapa of Itahar PS.

Prosecution to take necessary step at once

Accused as before.

Let a copy of the order be sent to the I/C Itahar PS for his information, circulation amongst all concerned and compliance.

Let another copy of the order be sent to the Superintendent of Police, Raiganj PD for information and ensuring due compliance by the all concerned.

Accused as before.

Dictated and corrected

ASJ FTC-II, Raiganj
Uttar Dinajpur

(Manik Lal Jana) (WB01023)

ASJ, FTC-II, Raiganj,
Uttar Dinajpur

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