

Order No. 17/20.06.2024

Today is fixed 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.

The 17 accused persons accused persons on bail 12 are present and remaining 5 are absent but represented by their Id. Advocate as per section 317 of the Cr.P.C.

Ld. PP-in-charge is present with no witness.

Ld. Advocate for the accused is also present.

I/C Itahar PS and ASI S Roy i.e. Sarbeswar Roy did not appear today but C/711 B Thapa of Itahar P.S. has made his personal appearance.

An explanation report, is received from the I/C Itahar P.S. namely Sukumar Ghosh, the content of which is practically not understandable in the concerned context. Perhaps the I/C Itahar P.S. has not go through the concerned order of the court carefully. So the court thinks fit to call him again to appear personally before this court for giving description on his report, so that it can be understandable in terms of the concerned order.

A portion of his explanation reveals that he could not appear personally before the court on the ground that he is busy in connection with Bidhan Sabha bye election 2024. It is under public notice that bye election for assembly seat of Raiganj has been ensued but there is no by election for the assembly seat of Itahar. Under such circumstance, this court is of the view to direct the I/C Itahar P.S. to appear personally before this court with sufficient documents for substantiating his claim.

Another report is received from one SI Swapan Saha, that ASI S Roy i.e. Sarbeswar Roy is out of the State for the purpose investigation of the Itahar P.S. case no. 188/2024 and thereby he is unable to appear before the Court on this day. The report was forwarded the I/C Raiganj P.S. On perusal of the report, the Court failed to understand who authorized him or what is his authority to send this kind of report directly to the Court when there exist a post of I/C. Under such circumstances, SI Swapan Saha of Itahar P.S. is directed to appear personally before this court with sufficient documents to show his authority to send this kind of report.

C/711 B Thapa of Itahar P.S. verbally tendered his apology which is accepted and he is released.

Again copy of death certificate of the accused Sisir Thokdar is received although he was recorded as filed for ever on the earlier date.

The case is adjourned for this day.

On the basis of the above discussion, the I/C Itahar P.S. Sukumar Ghosh and SI Swapan Saha are directed to appear personally and submit their respective explanation positively on the next date i.d. necessary coersive measure according to law may be taken against them or legal proceeding under the relevant provision of law may be initiated.

Fix 31.08.2024 for appearance and evidence of C.S.W.1 and personal appearance with written explanation of the I/C Itahar PS, SI Swapan Saha 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

[Visit ecourts.gov.in](http://ecourts.gov.in) for updates or download mobile app "eCourts Services" from Android or iOS