

## TR No.08 of 2017

**Order No.51**  
**20.01.2018**

Both the accused Ramendra Nath Sanyal and Krishnapada Sarkar are present by filing hazira.

Today is fixed for appearance and death report.

This case arises out of Raiganj PS Case No.258 of 2001 dated 04.08.2001 under Sections 471/477A/120B/420/201 IPC.

In this case, there were initially three accused persons against whom police submitted charge sheet under Sections 467/468/471/477/120B/420/409/201 IPC against the present two accused persons and another, namely, Dr Anuj Bhattacharya, son of late Amulya Ratan Bhattacharya, of Bhatrapally, Barasat, District North 24 Parganas.

The said accused Dr Anuj Bhattacharya was the CMOH, Uttar Dinajpur at the material time. It was informed to this Court that this accused Dr Anup Bhattacharya has died and in this regard this Court passed several orders asking for death report from IC, Barasat PS in respect of the said accused Dr Anup Bhattacharya. However, in spite of such directions, IC, Barasat PS has not filed any death certificate since long.

Copies of these orders were also sent to SP, North 24 Parganas in this regard but the same also yielded no result.

The rest two accused persons, however, have to come everyday to the Court in connection with this case with no certainty about the date of commencement of trial. One of the present accused is a cancer patient and another accused is the senior citizen.

It is not understandable as to why IC, Barasat PS or SP, North 24 Parganas have not done anything with regard to sending of the death report in respect of accused Dr Anuj Bhattacharya.

This Court is of the view that in these circumstances, the matter should be brought to the notice of DG & IGP, West Bengal for his intervention with the matter so that the Court can proceed with the matter henceforth.

Accordingly, a copy of this Order be sent to DG & IGP, West Bengal having office at Writers' Building, Calcutta-700001 for information and necessary action. Further copies of this Order be sent to IC, Barasat PS and SP, North 24 Parganas for their information.

Today one application is filed on behalf of the accused persons with certain prayers. Copy of the application have been served upon the prosecution.

The matters is now fixed on **14.05.2018** for appearance, receiving death report of accused Dr Anup Bhattacharya and hearing of the petition filed by the accused persons.

At my dictation

Judge

Judge, Special Court & Addl. Sessions Judge  
1<sup>st</sup> Court, Raiganj, Uttar Dinajpur