

Sessions Case No.9 of 2023
CNR No. WBUD01-002791-2022
JO Code No. WB00700

Order no.12

Dated: 18.08.2025

The case is posted for cross-examination of PW-2 Pritam Saha. But prosecution files hazira of PW-1 Bidyut Das.

The accused persons are present by filing hazira. Out of them one accused is represented u/s 317 of Cr.P.C.

The record reflects that on 22.02.2024, an application under Section 231(2) of the Cr.P.C. was allowed, whereby the Court directed that the examination-in-chief of CSW-1, CSW-2, and CSW-3 be conducted first, then their cross-examination will be conducted.

From the record, it appears that CSW-1 and CSW-3 have appeared in the witness box as PW-1 and PW-2, respectively, and their cross-examinations are yet to be completed. However, CSW-2, Prasanta Saha @ Chathan, has not yet appeared for examination, despite summons having been issued on multiple occasions which were returned unserved.

Accordingly, I think that unless examination in chief of CSW-2 is completed, cross-examination of PW-1 and 2 is not possible. Accordingly, Joydeb Das PW-1 is discharged without cross-examination.

Fix **18.09.2025** for examination of CSWdf-2.

Summon be issued at once.

Prosecution is asked to take effective steps to secure the attendance of the witness on the date fixed.

Let a copy of this order be given to the I/C Raiganj for his information and for compliance of the order for the interest of justice.

Typed and corrected by me.

Sessions Judge,
Uttar Dinajpur

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