

Sessions-235 of 2023
CNR No.WBUD05-001939-2023

Present: Sri Amar Kishore Mahato (J.O.Code No. WB 00922)
Additional Sessions Judge,
2nd Court, Islampur, U/Dinajpur

Order No. 14; dated 16.05.2024

Accused Md. Sahil is not produced from Siliguri Special Correctional Home by the Superintendent of said Correctional Home, Siliguri, district Darjeeling.

No intimation is even sent by the Superintendent of Siliguri Special Correctional Home, Siliguri, district Darjeeling.

Ld. Addl. P.P files hazira of one witness namely, Bablu Dutta.

On behalf of the accused person a petition is filed on the ground that the Ld. Advocate for the accused person has been suffering from illness and unable to conduct the evidence on today.

On perusal of the case record, I find that the accused person was shifted to Siliguri Special Correctional Home for the purpose medical treatment of the accused on 04.04.2024.

This is a case u/s. 302 of IPC where the custody trial of the accused is going on. From the memo of arrest it appears that the accused is aged about 22 years. It means the accused is a young man. No ailment was reported of the accused person from the date of arrest i.e., 22.07.2023 till completion of evidence of PW-3 namely, Ratan Saha. The evidence of Ratan Saha was completed on 05.03.2024 but since then the accused person was not produced before this Court as he was shifted to Siliguri Special Correctional Home, Siliguri, district Darjeeling, for the purpose of medical treatment. I failed to understand what is the ailment of the accused which requires medical treatment of the accused person from 04.04.2024 to 16.05.2024. There is provision for production of the accused by way of video conference but the Superintendent of Siliguri Special Correctional Home, even not produced the accused person by way of video conference. I have every reason to believe that the Superintendent of Siliguri Special Correctional Home, Siliguri, district Darjeeling, deliberately causing obstruction in smooth trial of this case.

Accordingly, the Superintendent of Siliguri Special Correctional Home, Siliguri, District Darjeeling, is hereby directed to produce all the medical

papers regarding medical treatment of the accused Md. Sahil positively on or before 22.05.2024. He is further directed to produce the diet chart of the accused Md. Sahil from 04.04.2024 till the date of filing the report, failing which the matter will be referred to Additional Inspector General of Correctional Services (North), West Bengal, Kachhari More, Siliguri, district Darjeeling, for taking appropriate action.

Let a copy of this order be sent to the Superintendent of Siliguri Special Correctional Home, Siliguri, district Darjeeling, through the Superintendent, Islampur Sub-Correctional Home, Islampur, district Uttar Dinajpur, for his information and necessary compliance.

To date (22.05.2024) for submission of medical papers regarding medical treatment of accused Md. Sahil.

Dictated & Corrected by

Addl. Sessions Judge.

Addl. Sessions Judge,
2nd Court, Islampur, Uttar Dinajpur.