

Sessions Trial Case No.-03(09)17(C.I.S.-158/17).

Present- Mr. Nayyar Azam Khan
Additional District and Sessions Judge, 1st Court,
Jhargram.

Order No.-37.

Date-13.11.2018. Today is fixed for evidence.

One accused person namely Bimal Bhowmik is present by filing hazira.

Other accused person namely Raju Bhowmik is produced from J/C.

Ld. P.P.-in-Ch. and Ld. Defence Counsel are present.

No witness is present.

Regular P.O. has been transferred.

I am in-charge.

Ld. Lawyer for the accused persons submits that as this Ld. Court is currently vacant now, there is no chance of the evidence been taken up in this evidence schedule. He also prays that the said evidence schedule fixed by my predecessor be cancelled as the accused persons would otherwise have to take the trouble of appearing on all rest of the days fixed in this evidence schedule without any evidence been taken up in absence of the regular P.O. The Ld. lawyer for the State raises no objection and submits that as the summons have not been sent in absence of the regular P.O. of this Court, there is no likelihood of any evidence been taken up in this evidence schedule.

Heard both sides. Considered. It is evident that the summons for this evidence schedule have not been sent resulting in the fixing of this evidence schedule being a futile exercise. Hence, it is only appropriate that the current evidence schedule fixed vide order no. 34 dt. 30.08.2018 commenced on 12.11.2018 and ending on 17.11.2018 be hereby cancelled.

The record need not be put up on the dates fixed for evidence as per earlier schedule.

Let a shortest possible date be fixed keeping in mind the direction of Hon'ble High Court, Calcutta.

To **11.01.2019** for appearance, production and further order.

Accused Raju Bhowmik is remanded to J/C till to the next date fixed. Other accused must be present on the next date fixed.

Dict. & Cort. by me.

Sd/-

A.D.J.-in-charge, 2nd Court,
Jhargram, Paschim Medinipur.

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