

S.Tr. No. 16 (9)19 (R-51/2017)

Present:- Sri Utpal Misra (J.O Code:- WB00659) Addl. Sessions Judge, 1st Court,
Jhargram
CNR No. WB WM06-000103-2017

Order No.26.

Date: 27-11-2024.

1. Today is fixed for appearance of the accused persons and E.R of W.A.
 2. Three accused persons namely, Rupak Mahata, Pradip Mahata and Haru Rana are present by filing haziras.
 3. No E.R in respect of accused namely, Nisith Ranjan @ Surya Mahata is received.
 4. Heard both Ld. P.P. as well as Ld. Defence counsel.
 5. Considered.
 6. After going through the record, it appears that charges were framed vide Order dt. 24.09.2019 against six accused persons namely, Pradip Mahata, Rupak Mahata, Parama @ Paramananda Mahata, Nisith Ranjan @ Surya Mahata, Badal Mahata and Haru Rana.
 7. Subsequently, due to the death of accused Parama @ Paramananda Mahata, the instant case was filed forever against him vide dt. 09.11.2022.
 8. Another accused namely, Badal Mahata had also died and instant case was filed forever against him vide dt. 29.05.2023.
 9. So, the instant trial against remaining accused persons has not been proceeding due to NER in respect of accused Nisith Ranjan @ Surya Mahata.
 10. But, after going through the LCR, it appears that vide order dt. 27.01.2011 Ld. A.C.J.M., Jhargram considering the fact that Nisith Ranjan @ Surya Mahata was Juvenile in conflict with law, after splitting the case record, he was directed to produce before the Ld. Principal Magistrate, Juvenile Justice Board, if that be so, then admittedly he has been facing or had faced trial before the J.J.B., but, inadvertently warrant of arrest was issued against him on 22.02.2023. So, considering that aspect, let warrant of arrest passed by this Court against accused Nisith Ranjan @ Surya Mahata recalled at once from I/C, Jhargram P.S.
 11. So, there is no impediment to proceed with the instant trial against three accused persons namely, Pradip Mahata, Rupak Mahata and Haru Rana.
- Let a copy of this order be sent to I/C, Jhargram P.S. for compliance.
- To **13.12.2024** for appearance and further order.

Dict. & Corrtd. by me.

Sd./-

Additional Sessions Judge,
1st Court, Jhargram

Sd./-

Additional Sessions Judge,
1st Court, Jhargram.