

GAHC010162072008



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : CrI.A./123/2008

ANITA NAG
W/O KABIR NAG, R/O MALIGAON RAILWAY GATE NO.1 UNDER
BHARALUMUKH P.S., DIST. KAMRUP, ASSAM.

2: PRASANTA KR. DAS

S/O SUBRATA KR. DAS
R/O BIDHAN SARANI
RADHA MADHAB ROAD
SILCHAR
UNDER SILCHAR P.S.
DIST. CACHAR
ASSAM

VERSUS

C B I

-

Advocate for the Petitioner : MR.B M CHOUDHURY

Advocate for the Respondent : SC, CBI

Linked Case : CrI.A./125/2008

KABIR NAG
S/O LT. KUMUD NAG
R/O MALIGAON RLY. GATE NO.1 UNDER BHARALUMUKH P.S.

DIST. KAMRUP
ASSAM

VERSUS

C B I

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Advocate for : K SAIKIA
Advocate for : SC
CBI appearing for C B I

Linked Case : CrI.A./137/2008

GOUR KANTI DAS
S/O LATE HARIKESH DAS
R/O COLONY BAZAR
GUWAHATI UNDER FATASIL AMBARI P.S. DIST. KAMRUP
ASSAM.

VERSUS

C B I

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Advocate for : MR.D K BAGCHI
Advocate for : SC
CBI appearing for C B I

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

ORDER

20.08.2021

The first charge against the accused Kabir Nag is that an amount of

Rs.45,98,000/- which he had received in course of his duty as an Accountant in the State Bank of India was credited by him in an account in the name of Colour Printers and two other accounts where either the accused Kabir Nag himself or his near and dear ones have control over the accounts.

To substantiate this charge, Mr. S C Keyal, learned counsel for the respondent CBI refers to evidence of PW.4, Debo Kumar Choudhury, where he deposed in his examination-in-chief that Exhibits 12 to 18 are credit vouchers written and initiated by the accused Kabir Nag and all the vouchers were in favour of the Colour Printers. PW.4 also deposed that he knew the signature of the accused Kabir Nag. PW.43 Sri Anand Sworup Gupta who is the handwriting expert had stated in his evidence that he had received the specimen signature of the accused Kabir Nag and were marked as S1 to S50, S62 to S72. PW.43 also stated that the person who had signed specimen signature S1 to S50 and S62 to S72 had also signed the documents Q2/1, Q3, Q3/1, Q.5, Q6, Q14, Q18, Q28, Q37, Q41, Q43, Q50, Q52, Q67, Q71, Q81, Q86, Q100, Q104, Q115, Q129, Q133, Q137, Q141, Q145, Q149, Q153, Q157, Q161, Q168, Q172, Q176, Q186, Q190, Q197, Q201, Q211, Q215, Q231, Q252, Q278, Q319, Q323 and Q336.

In the resultant situation, we are required to examine whether Exhibits 12 to 18 are also included in the aforesaid documents.

List in the next week Part-II hearing list.

JUDGE

Comparing Assistant