

D/L137
04.04.2024
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C.R.R.989 of 2024

In Re: An application under Section 483 read with Section 401 of the
Code of Criminal Procedure, 1973;

Rasid Molla @ Bhai
Versus
The State of West Bengal

Mr. Soumya Basu Roy Chowdhuri.
...for the petitioner.

Mr. Debasish Roy, Ld.P.P.
Ms. Sreyashee Biswas.
...for the State.

Petitioner is in custody in connection with Sankrail Police
Station Case No.154 of 2023 and it has been submitted that after
framing of charge the examination in chief of only one witness has
been completed. According to the learned advocate, prosecution has
relied upon 17 witnesses in order to prove its case.

A report has been submitted by the State wherefrom it
reflects that the next schedule is fixed on 10th April, 2024. Let the
report be kept with the record.

In view of the number of witnesses to be examined, I
direct the learned trial court to fix at least a schedule of three dates
in every 45 days and in case any witness is absent inform to the
Commissioner of Police, Howrah who would take steps for ensuring
regarding the availability of the witnesses and/or in the alternative
submit a report assigning the reasons why the witness is not
available before the court. Learned Public Prosecutor conducting
the case would produce all the materials, documents and exhibits

on the date so fixed for examination of the witnesses. The trial of the case would continue in spite of any resolution of local bar and the participating advocates will not in any manner stall the proceedings because of such resolution. All stakeholders would cooperate with the trial court to conclude the trial at the earliest.

With the aforesaid observations, CRR 989 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)