

**BAKIBULLA MOLLA @ BAKIBULLA AND ANOTHER
VS
STATE OF WEST BENGAL**

Adv. Biswajit Manna

...for the Petitioners.

1. Being aggrieved and dissatisfied with the order dated 19th August, 2025 passed in ST Case No. 01 (06) 2025, being Sessions Case No. 145 of 2025 petitioner has preferred the instant application.
2. By the impugned order the learned Court below rejected the petitioners' prayer for supply of copy of the documents which are going to be relied by the prosecution during evidence, on the ground that the petitioner did not raise any objection earlier regarding non-receipt of such document and also on the ground that the copies have already been filed and therefore the court was of the view that the prayer has been made by the petitioners only to drag the proceeding.
3. It appears from the record that the petitioners filed an application on 19th August, 2025 wherein he has stated that after careful scrutiny the accused found that some of the

relevant documents mentioned in the paragraph No. 4 of the said application have not been supplied to the petitioners herein which are very much required to defend the above mentioned case.

4. In ***P. Gopal Krishnan Vs. State of Kerala, (2020) 9 SCC 161***, the Supreme Court observed that all documents including “electronic record” produced for the inspection of the court along with police report and which prosecution proposes to use against the accused must be furnished to the accused. It is cardinal that a person tried for an offence should be furnished with all the materials and evidence in advance, on which the prosecution proposers to rely against him during trial.
5. Having considered the prayer made on behalf of the petitioner, I find that the prayer is innocuous and is required to be allowed for the ends of justice as the primary object of a free and fair trial is to see that nothing would cause prejudice to the accused person.
6. Therefore, the supply of copy of application upon the Opposite Party is dispensed with.
7. Having heard the learned counsel appearing on behalf of the petitioner the Court below is directed to supply a copy of the document

mentioned in the paragraph no. 4 of the application filed by the petitioner which the prosecution wants to rely during trial within a period of 30 days from the date of the order.

8. Accordingly, the CRR. 3919 of 2025 is disposed of.

(Dr. Ajoy Kumar Mukherjee, J.)