

In the Court of Sessions Judge, Sonbhadra.

Present: Kuldeep Kumar -II, H.J.S.

Sessions trial No. 36 of 2015

State

Versus

Vinod Kumar Pandey
and two others.

CHARGE

I, Kuldeep Kumar-II, Sessions Judge, Sonbhadra do hereby charge you(1) Vinod Kumar Pandey,(2) Rajesh and (3) Ram Raj Patel as follows;

Firstly, that you Vinod Kumar Pandey, Rajesh , and Ram Raj Patel along with 12 others, on 23.03.2012 at about 11.30 p.m. in the night at village Bichpayee within the local limits of P.S. Robertsganj, District Sonbhadra, were members of an unlawful assembly, and ,in prosecution of the common object of such assembly, committed the offence of rioting, and thereby committed an offence punishable under section 147 I.P.C. and within the cognizance of this court.

Secondly, that you Vinod Kumar Pandey, Rajesh , and Ram Raj Patel along with 12 others, on the said date,time and place, and ,in prosecution of common object of such assembly, voluntarily caused hurt to Raghu Vishwarkarma, Santosh, Chinta , Phoolwanti, Ramjiyawan and Asha Devi and thereby committed an offence punishable under section 323/149 I.P.C. and within the cognizance of this court.

Thirdly,that you Vinod Kumar Pandey, Rajesh , and Ram Raj Patel along with 12 others , on the said date,time and place, intentionally insulted and thereby gave provocation to Raghu Vishwarkarma, Santosh, Chinta , Phoolwanti, Ramjiyawan and Asha Devi intending that such provocation will cause the said persons to break the public peace and thereby committed an offence punishable under section 504 I.P.C. and within the cognizance of this court.

Fourthly, that you Vinod Kumar Pandey, Rajesh , and Ram Raj Patel along with 12 others, on the said date,time and place, committed criminal intimidation by threatening Raghu Vishwarkarma, Santosh, Chinta , Phoolwanti, Ramjiyawan and Asha Devi to kill and thereby committed an offence punishable under section 506 I.P.C. and within the cognizance of this court.

Fifthly, that you Vinod Kumar Pandey, Rajesh , and Ram Raj Patel along with 12 others, on the said date,time and place , committed house trespass by entering into the building of Santosh Vishwakarma ,used as a human dwelling, have made preparation for causing hurt to Raghu Vishwarkarma, Santosh, Chinta , Phoolwanti, Ramjiyawan and Asha Devi and that you thereby committed an offence punishable under section 452 I.P.C. and within the cognizance of this court.

Sixthly,that you Vinod Kumar Pandey, Rajesh , and Ram Raj Patel along with 12 others, on the said

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date,time and place, and ,in prosecution of the common object of

such assembly, voluntarily caused grievous hurt to Raghu, Santosh, Chinta and Shyamjira and thereby committed an offence punishable under section 325/149 I.P.C. and within the cognizance of this court.

Lastly, that you Vinod Kumar Pandey, Rajesh , and Ram Raj Patel along with 12 others , on the said date,time and place, and ,in prosecution of the common object of such assembly, caused injuries on the head of Raghu Vishwakarma and Shyamjira with such intention and under such circumstances ,that if by that act you had caused the death of Raghu Vishwakarma and Shyamjira ,you would have been guilty of culpable homicide not amounting to murder and thereby committed an offence punishable under section 308/149 I.P.C. and within the cognizance of this court.

And I hereby direct that you be tried by this court on the said charges.

Dated: 27.05.2016

(Kuldeep Kumar II)
Sessions Judge,
Sonbhadra.

Charges read over and explained to the accused in simple Hindi who pleaded not guilty and claimed to be tried.

Dated:-27.05.2016

(Kuldeep Kumar II)
Sessions Judge,
Sonbhadra

7.5.2016 Case called out .Accused persons Vinod Kumar Pandey, Rajesh and Ram Raj Patel are present on bail.

Learned counsel for the State opened his case by describing the charge brought against the accused and stating by what evidence he proposes to prove the guilt of the accused. I have gone through the F.I.R., site plan, injury reports as well as other relevant papers. I am of the opinion that there is ground for presuming that the accused have committed offences punishable under sections 147,323/149 504, 506,452,325/149 and 308/149 I.P.C.

Fix 27.06.2016 for prosecution evidence.

Sessions Judge.
Sonbhadra