

IN THE COURT OF SESSIONS JUDGE, SONBHADRA.

Present: Ashok Kumar Yadav-I, HJS

Sessions Case No. 180 of 2022

State

Versus

Shiv Kumar and others

CHARGE

I, Ashok Kumar Yadav-I, Sessions Judge, Sonbhadra do hereby charge you (1) Shiv Kumar, (2) Krishna Dev, (3) Om Prakash, (4) Babundar and (5) Sonu as follows:

Firstly, that you, on 24.11.2021 at about 23:15 hours, in the forest of Gurmura, situated at village Gurmura, within the local limits of P.S. Chopan, District Sonbhadra fired upon police party, with such intention and under such circumstances, that if by that act you had caused the death of any member of police party, you would have been guilty of murder and thereby committed an offence punishable under section 307 I.P.C. and within the cognizance of this court.

Secondly, that you, on the said date, time and place, made preparation for committing dacoity, and thereby committed an offence punishable under section 399 I.P.C. and within the cognizance of this court.

Lastly, that you, on the said date, time and place, were one of five persons assembled for the purpose of committing dacoity and thereby committed an offence punishable under section 402 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:- 04.04.2022

(Ashok Kumar Yadav-I)
Sessions Judge,
Sonbhadra.

Charges read over and explained to the accused persons in vernacular language who pleaded not guilty and claimed to be tried.

Dated:- 04.04.2022

(Ashok Kumar Yadav-I)
Sessions Judge,
Sonbhadra.

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ORDER

04.04.2022

Case called out. Accused persons Shiv Kumar, Krishna Dev, Om Prakash, Babundar and Sonuare present are present from jail along with their learned counsel.

Heard on framing of charge. Learned D.G.C. (Criminal) opened the case and briefly submitted about the evidence and material collected against the accused persons and submitted that charges under sections 307, 399, 402 IPC are being made out.

On the other hand, the learned counsel for the accused persons submitted that there is nothing on record to suggest that the accused persons actually committed any crime and therefore they may be discharged.

Upon consideration of documents available on record and after hearing the submissions of the learned counsel, I am of the opinion from the material available on record that there is ground for presuming that accused persons have committed offence punishable under sections 307, 399, 402 IPC. Let charges be framed accordingly.

Fix 18.04.2022 for prosecution evidence and this case is transferred to the court of Additional District Sessions Judge, Court No.1, Sonbhadra for disposal according to law.

Sessions Judge.
Sonbhadra
04.04.2022