

IN THE COURT OF SESSIONS JUDGE, SONBHADRA.

Present: Rajat Singh Jain, H.J.S.

Sessions Case No. 540 of 2021

State

Versus

Shiv Prasad and others

CHARGE

I, Rajat Singh Jain, Sessions Judge, Sonbhadra do hereby charge you (1) Shiv Prasad, (2) Jawahar Lal and (3) Ram Prasad as follows:

Firstly that you, on 17.07.2021, at about 02:00 PM, at village Kuldomari, Tola Gulalidih, within the circle of P.S. Anpara, District Sonbhadra, in furtherance of your common intention, voluntarily caused hurt to Raj Kumar and Rajkumari, and thereby committed an offence punishable under section 323/34 I.P.C. and within the cognizance of this court.

Secondly, that you, on the said date, time and place, in furtherance of your common intention, caused injury on the head of Raj Kumari and during treatment Raj Kumari died on 18.07.2021 at Trauma Center, IMS, BHU, Varanasi and that you committed culpable homicide not amounting to murder, causing the death of Raj Kumar and thereby committed an offence punishable under section 304/34 I.P.C. and within the cognizance of this court.

Lastly, that you, on the said date, time and place, intentionally insulted and thereby gave provocation to Raj Kumar, Rajkumari and 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.

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

Dated: 09.11.2021

(Rajat Singh Jain)
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: 09.11.2021

(Rajat Singh Jain)
Sessions Judge,
Sonbhadra.

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ORDER

Called Out. Present, accused persons Shiv Prasad, Jawahar Lal and Ram Prasad from judicial custody along with their learned counsel.

Heard on charge.

Learned in-charge 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 323, 304, 504 IPC are being made.

On the other hand, the learned counsel for the accused persons submitted that there are 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 323/34, 304/34, 504 IPC. Let charges be framed accordingly.

Fix 24.11.2021 for prosecution evidence.

Sessions Judge
Sonbhadra
09.11.2021