

West Bengal Form No. 3953.

High Court Criminal Form No. (O) 36.

CHARGE WITH THREE HEAD

[No.XXVIII (I), Schedule V, Act V, 1898.]

[Sections 221, 222, 223, Code of Criminal Procedure.]

Name & Office

of the Judge I, Sarbani Mallik (Chattopadhyay),
Addl. Sessions Judge & Spl Judge (POCSO Act) 2nd Court,
Suri, Birbhum.

Name of the

accused person hereby charge you **1. Monsur Molla, 2. Sajahan Molla and
3. Monirul Molla**

as follows -

Firstly : That you all in furtherance of common intention, on 22.06.2024 at about 3:00 p.m in the afternoon, abducted the minor daughter of defacto complainant with the intent to secretly and wrongfully confined her and thereby you all committed an offence punishable under Section 365 of IPC and within the cognizance of this court.

Secondly : That you Monsur Molla on the same date, time and place kidnapped the minor daughter of the defacto complainant from the lawful guardianship of her father i.e. the defacto complainant and took her away to your house and committed aggravated penetrative sexual assault upon said minor daughter of defacto complainant and thereby you all committed the offence punishable under Section 6 of POCSO Act and within the cognizance of this court.

Thirdly : That you Sajahan Molla and Monirul Molla, both on the same date, time and place abetted Monsur Molla to commit aggravated penetrative sexual assault upon minor daughter of defacto complainant and thereby you all committed the offence punishable under Section 6/17 of POCSO Act and within the cognizance of this court.

And I hereby direct that you be tried by the said Court on the said charge. The contents of the said charge is read over and explained to the accused persons in Bengali to which they pleaded not guilty and claimed to be tried.

Dated this the 3rd day of February, 2026

Special Judge (POCSO Act),
2nd Court, Suri, Birbhum.

Order No. 01

Dated 03.02.2026

The record is fixed for appearance and consideration of charge.

The accused person, namely, Monsur Molla, Sajahan Molla and Monirul Molla on Court bail are present.

Ld. Spl. P.P and the Ld. Advocate for the accused persons are present.

The defacto complainant files hazira.

The record is taken up for consideration of charge.

After hearing both sides and on perusal of the materials on record, I find that a prima facie case under Section-365 of IPC and Section 6 and 6/17 of POCSO Act against accused Monsur Molla, Sajahan Molla and Monirul Molla has been established. Charge is accordingly framed with three head under Section-365 of IPC and Section 6 and 6/17 of POCSO Act against accused Monsur Molla, Sajahan Molla and Monirul Molla in prescribed form which be tagged with the record. The contents of the charge is read over and explained to the accused persons in Bengali to which the accused persons pleaded not guilty by saying “Amra Nirdosh” and claimed to be tried.

Fix 18.02.2026 for evidence of victim girl and the defacto complainant.

Prosecution is to see that summons upon the said witnesses are issued accordingly.

Witnesses are directed to be present accordingly and for non-compliance of the same provision of section 350 of the Code of Criminal Procedure will be followed.

The I.O is hereby directed to be remained present during entire schedule by producing every witness.

Dictated & corrected

Special Judge (POCSO Act),
Suri, Birbhum

Special Judge (POCSO Act),
Suri, Birbhum.