

West Bengal Form No. 3953.  
High Court Criminal Form No. (O) 36.

**CHARGE WITH FIVE 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, 2<sup>nd</sup> Court, Suri, Birbhum.

Name of the  
accused person hereby charge you **1. Mir Jiyaul Ahamed, 2. Mir Joni,**  
**3. Mir Kajal and 4. Ratan Bagdi**

as follows -

Firstly : The defacto complainant lodged the complaint on 09.05.2023 at about 15:00 hrs. when she reached at their house then they found that the accused persons along with three other persons trespass into the house and damaged the household articles due to previous grudge and thereby you committed house trespass by entering into the house of the defacto complainant which is used as a human dwelling and thereby you committed an offence punishable u/s-448/34 of IPC with common intention and within the cognizance of this court.

Secondly : The defacto complainant lodged the complaint on 09.05.2023 at about 15:00 hrs. when she reached at their house then they found that the accused persons along with three other persons trespass into the house and damaged the household articles due to previous grudge and you committed mischief by doing such act which caused wrongful loss and damaged to defacto complainant and thereby you committed an offence punishable u/s-427/34 of IPC with common intention and within the cognizance of this court.

Thirdly : The defacto complainant lodged the complaint on 09.05.2023 at about 15:00 hrs. when she reached at their house then they found that the accused persons along with three other persons trespass into the house and damaged the household articles due to previous grudge and you assaulted the defacto complainant with fist and blows and thereby you committed an offence punishable u/s-323/34 of IPC with common intention and within the cognizance of this court.

Fourthly : The defacto complainant lodged the complaint on 09.05.2023 at about 15:00 hrs. when she reached at their house then they found that the accused persons along with three other persons trespass into the house and damaged the household articles due to previous grudge and you assaulted the defacto complainant with fist and blows and outraged her modesty and tried to kill her by tying veil around her neck with such intention and knowledge and under such circumstance that if by that act cause the death of the defacto complainant you would have been guilty of murder and you thereby committed an offence punishable Under Section **307/34** I.P.C. with common intention and within the cognizance of this Court.

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Fifthly : The defacto complainant lodged the complaint on 09.05.2023 at about 15:00 hrs. when she reached at their house then they found that the accused persons along with three other persons trespass into the house and damaged the household articles due to previous grudge and you assaulted the defacto complainant with fist and blows and committed criminal intimidation by threatening the defacto complainant with injury to his person with intention to cause alarm to her which he was not legally bound to do and thereby you committed an offence punishable u/s-506/34 of IPC with common intention 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 22nd day of May, 2025

Addl. Sessions Judge,  
2<sup>nd</sup> Court, Suri, Birbhum.

Order No. 01

Dated 22.05.2025

Today is fixed for appearance and for consideration of charge.

The accused persons, namely, Mir Jiyaul Ahamed, Mir Joni, Mir Kajal and Ratan Bagdi on court bail are present.

Ld. Spl. P.P is present.

Ld. Advocate for the accused person is present.

The record is taken up for consideration of charge.

Heard both sides regarding consideration of charge. After hearing both sides and on perusal of the materials on record, I find that a prima facie case under Section 448/427/323/307/506/34 of IPC against accused Mir Jiyaul Ahamed, Mir Joni, Mir Kajal and Ratan Bagdi has been established. Charge is accordingly framed with two head under Section 448/427/323/307/506/34 of IPC against accused Mir Jiyaul Ahamed, Mir Joni, Mir Kajal and Ratan Bagdi in prescribed form which be tagged with the record. The contents of the charge is read over and explained to the accused person in Bengali to which the accused persons pleaded not guilty by saying "Amra Nirdosh" and claimed to be tried.

Fix 23.07.2025 for evidence of CSW No. 1.

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.

Let a copy of this order be sent to the Superintendent of Police, Birbhum, and I.O. of this case for their information.

Dictated & corrected

Addl. Sessions Judge,  
2<sup>nd</sup> Court, Suri, Birbhum

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