

West Bengal Form No. 3953.

High Court Criminal Form No. (O) 36.

CHARGE WITH FOUR 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, 2nd Court, Suri, Birbhum.

Name of the

accused person hereby charge you 1. Kabir Khan, 2. Sarifa Bibi and 3. Asik Khan

as follows -

Firstly : On 10.02.2023 at 6:30 p.m you forcibly kidnapped the defacto complainant after making her senseless and brought her to Delhi and physically assaulted her and kept her in a room under lock and key with intent to cause the defacto complainant to be secretly and wrongfully confined and thereby committed an offence punishable u/s-365 of IPC and within the cognizance of this court.

Secondly : On 10.02.2023 at 6:30 p.m you forcibly kidnapped the defacto complainant after making her senseless and brought her to Delhi and physically assaulted her and kept her in a room under lock and key with intent to cause the defacto complainant to be secretly and wrongfully confined and repeatedly committed rape upon her against her will when you was in the position of authority and in custody and in charge of the premises and commit sexual intercourse repeatedly and that you thereby committed an offence punishable Under Section 376(2)(n) I.P.C., and within the cognizance of this Court.

Thirdly : On 10.02.2023 at 6:30 p.m you forcibly kidnapped the defacto complainant after making her senseless and brought her to Delhi and physically assaulted her and kept her in a room under lock and thereby you committed an offence punishable u/s-323/34 of IPC with common intention and within the cognizance of this court.

Fourthly : On 10.02.2023 at 6:30 p.m you forcibly kidnapped the defacto complainant after making her senseless and brought her to Delhi and physically assaulted her and kept her in a room under lock and key with intent to cause the defacto complainant to be secretly and wrongfully confined and repeatedly committed rape upon her against her will when you was in the position of authority and in custody and in charge of the premises and commit sexual intercourse repeatedly and committed criminal intimidation by threatening the defacto complainant at the time of commission of offence with intent to cause alarm to the defacto complainant which you are not legally bound to do and that you thereby committed an offence punishable Under Section **506/34** I.P.C., and within the cognizance of this Court.

Contd.....P/2

(2)

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 18th day of September, 2025

Addl. Sessions Judge,
2nd Court, Suri, Birbhum.

Order No. 01

Dated 18.09.2025

Today is fixed for appearance and for consideration of charge.

The accused persons, namely, Kabir Khan, Sarifa Bibi and Asik Khan 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 365/376(2)(n)/323/506 of BNS against accused Kabir Khan, Sarifa Bibi and Asik Khan has been established. Charge is accordingly framed with four head under Section 365/376(2)(n)/323/506 of BNS against accused Kabir Khan, Sarifa Bibi and Asik Khan 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 08.12.2025 for evidence of CSW No. 1 and 2.

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,
2nd Court, Suri, Birbhum

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