

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

CHARGE WITH TWO 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 Miral Hemram @ Jalpa

as follows -

Firstly : That on 06.07.2025 at about 7:00 p.m you taking the advantage of the absence of the husband of the victim lady administered to or causes to be taken by the victim lady the intoxicating substance with intent to commit or to facilitate the commission of an offence knowing it to be likely that he will thereby cause commit the offence and thereby you committed an offence punishable Under Section 123 of BNS, and within the cognizance of this Court.

Secondly : That on 06.07.2025 at about 7:00 p.m you taking the advantage of the absence of the husband of the victim lady administered to or causes to be taken by the victim lady the intoxicating substance with intent to commit or to facilitate the commission of an offence knowing it to be likely that he will thereby cause commit the offence and commits rape on the victim lady who was incapable of giving consent and that you thereby committed an offence punishable Under Section 64(2)(i) BNS, 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 person in Bengali to which they pleaded not guilty and claimed to be tried.

Dated this the 1st day of November, 2025

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

Order No. 01

Dated 01.11.2025

Today is fixed for production and for consideration of charge.

The accused person, namely, Miral Hemram @ Jalpa is produced from j/c through V.C and remanded to j/c till date.

Ld. Spl. P.P is present.

Ld. Advocate for the accused person files an application for bail for the accused person and he submits that there is no chance of absconding if he is released on bail.

Heard both sides.

Perused the record, it appears that the defacto complainant lodged the complaint on 06.07.2025 the accused person administered drinks to the victim lady and took her away in his house and committed rape upon her and in search of victim lady when they went to the house of the accused person he found that the victim lady in naked condition.

Perused the materials on record and C.D including 161, 164 statement, medical report and other materials on record and considering the nature and gravity of the case, I am not inclined to release the accused person on bail. Hence, prayer for bail application is rejected.

Now, 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 123/64(2)(i) of BNS against accused Miral Hemram @ Jalpa has been established. Charge is accordingly framed with two head under Section 123/64(2)(i) of BNS against accused Miral Hemram @ Jalpa 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 person pleaded not guilty by saying "Ami Nirdosh" and claimed to be tried.

Fix 10.11.2025 for evidence of C.S.W No. 5 (V.G).

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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