

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

S.C. No. 253/23
S.T. No.04(11)24

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, 2nd Court, Suri, Birbhum.

Name of the

accused person hereby charge you 1) Rahul Mahara, 2) Samar Mahara,
3) Amar Mahara and 4) Shyamali Mahara

as follows -

Firstly : the marriage of the daughter of the defacto complainant took place with Rahul Mahara and after marriage all of you to torture her on demand dowry and thereby 498A/34 of IPC and within the cognizance of this court.

Secondly : the marriage of the daughter of the defacto complainant took place with Rahul Mahara and after marriage all of you to torture her on demand dowry and caused her unnatural death within seven years from the date of her marriage on demand of dowry and thereby all of you committed an offence punishable u/s-304B/34 of IPC and within the cognizance of this court.

Alternatively : the marriage of the daughter of the defacto complainant took place with Rahul Mahara and after marriage all of you to torture her on demand dowry and abetted her to commit suicide and thereby all of you committed an offence punishable u/s-306/34 of IPC 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 charges are read over and explained to the accused persons in Bengali to which they pleaded not guilty and claimed to be tried.

Dated this the 16th day of November, 2024

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

Order No. 01

Dated 16.11.2024

Today is fixed for appearance and charge.

The accused persons, namely, Rahul Mahara, Samar Mahara, Amar Mahara and Shyamali Mahara 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 498A/304/34 of IPC alternatively Section 306/34 of IPC against accused persons, Rahul Mahara, Samar Mahara, Amar Mahara and Shyamali Mahara has been established. Charge is accordingly framed with three head under Section 498A/304/34 of IPC alternatively Section 306/34 of IPC against accused persons, Rahul Mahara, Samar Mahara, Amar Mahara and Shyamali Mahara 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 25.02.2025 for evidence of CSW No. 1

Fix 27.02.2025 for evidence of CSW No. 2 and 3.

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

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

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2nd Court, Suri, Birbhum.