

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. Latifur Sk. and 2. Prakash Ch. Das

as follows -

Firstly : On 22.01.2022 after getting information from source when the defacto complainant went to the P.O at Kanmore bus stand at about 15:55 hrs. then he found truck loaded with coal approx 22 mt. and on being asked driver failed to produce the valid document in respect of the possession of the coal and in this way you cause theft of the said coal and thereby all of you committed an offence punishable u/s-379 of IPC and within the cognizance of this court.

Secondly : On 22.01.2022 after getting information from source when the defacto complainant went to the P.O at Kanmore bus stand at about 15:55 hrs. then he found truck loaded with coal approx 22 mt. and on being asked driver failed to produce the valid document in respect of the possession of the coal and in this way you cause theft of the said coal and you have been found in the possession of the stolen coal and thereby all of you committed an offence punishable u/s-411 of IPC and within the cognizance of this court.

Thirdly : On 22.01.2022 after getting information from source when the defacto complainant went to the P.O at Kanmore bus stand at about 15:55 hrs. then he found truck loaded with coal approx 22 mt. and on being asked driver failed to produce the valid document in respect of the possession of the coal and in this way you cause theft of the said coal and you have been found in the possession of the stolen coal and you are habituated in dealing with the stolen coal and thereby all of you committed an offence punishable u/s-413 of IPC and within the cognizance of this court.

Fourthly : On 22.01.2022 after getting information from source when the defacto complainant went to the P.O at Kanmore bus stand at about 15:55 hrs. then he found truck loaded with coal approx 22 mt. and on being asked driver

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failed to produce the valid document in respect of the possession of the coal and in this way you cause theft of the said coal and you have been found in the possession of the stolen coal and you are habituated in dealing with the stolen coal and on demand you failed to produce document which you know or had reason to believe to be stolen property and thereby all of you committed an offence punishable u/s-414 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 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 September, 2025

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

Order No. 01

Dated 22.09.2025

Today is fixed for appearance and for consideration of charge.

The accused persons, namely, Latifur Sk. and Prakash Ch. Das 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 379/411/413/414 of IPC against accused Latifur Sk. and Prakash Ch. Das has been established. Charge is accordingly framed with four head under Section 379/411/413/414 of IPC against accused Latifur Sk. and Prakash Ch. Das 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 26.11.2025 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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