

Charges With Three Heads

(No. XXVIII(II), Schedule V, Act V 1898)
Section 221, 222, 223 Code of Criminal Procedure)

S.C. 2(8)17

S.T. 2(11)18

1) Name and Office or Magistrate 1. (I) Shri Subhasis Ghosh,
Additional District & Sessions Judge,
Khatra, Bankura.

2) Name of accused Person(s) hereby charge you (2)
as follows:

First:- That you, that marriage of victim housewife Malabika Singha Mahapatra niece of defacto complainant Pravakar Singha Mahapatra was solemnized with accused Surajit Panda 3 years ago prior to the lodging complaint on 12.03.17 and since after marriage you all the accused persons inflicted torture upon said Malabika Singha Mahapatra both physically and mentally during her stay at your house at village – Madaria, P.S – Simlapal, Bankura. on the demand of cash as a dowry in furtherance of your common intention of all and you thereby committed the offence punishable under section **498A/34** of Indian Penal Code, and within (3) the cognizance of the court of Sessions.

(3) My cognizance or the cognizance of the Court of Sessions

Secondly :-That you all on 11.08.17 at the above mentioned place subjected the aforesaid housewife to cruelty and you all committed the dowry death of the victim housewife Malabika by causing her death, in furtherance of your common intention of all and that you thereby committed the offence punishable Under section **304B/34** of the Indian Penal Code, and within(3) the cognizance of the court of Sessions.

Alternatively, Thirdly :-That you, on 11.08.17 at the above mentioned place did commit murder of victim housewife Sagarika by causing her death, in furtherance of your common intention of all and that you thereby committed the offence punishable Under section **302/34** of the Indian Penal Code, and within(3) the cognizance of the court of Sessions.

(4) In cases tried by Magistrate, omit by the said Court.

And I thereby direct that you be tried (4) by the said Court on the said charge

The said charge is read over and explained to the accused to which he pleads not guilty and claims to be tried.

Dated ,this 14th day of November, 2018.

Sd/-Subhasis Ghosh,
Additional Sessions Judge,
Khatra, Dist.- Bankura.
14.11.18.

In the Court of Additional District & Sessions Judge at Khatra,
Dist.- Bankura.

S.T. 2(11)18

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Order No . 23,
Date- 14.11.18.

4 accused persons on court bail are present by filing hazira. Accused Surajit Panda is produced from J/C.

Today is fixed for consideration of charge.

Thereafter the record is taken up for consideration of charge.

Ld. Advocates for both sides are present. Ld. P.P-in-charge opens his case by describing evidence against the accused persons and prays for framing of charge accordingly U/s 498A/304B/302/34 I.P.C .

Heard Ld. Advocate for the both sides.

Perused the materials on record and the case diary. Having perused the materials on record and case diary and having heard the Ld. Advocate for both sides, I have come to a conclusion that there is a ground for presuming that the accused persons have committed the offence punishable U/s 498A/304B/302/34 I.P.C which is triable by the court of Sessions. Accordingly charge U/s 498A/304B/302/34 I.P.C has been framed against the aforesaid accused persons. The contents of charge so framed is read over and explained before the accused persons when they pleaded not guilty and claimed to be tried.

The trial of this case will commence as per following programme:

Fix **18.1.19** for evidence of C.S. Witness No. 1,

Fix **5.2.19** for evidence of C.S. Witness No. 2.

Issue summons accordingly.

Aforesaid custody accused be remanded to J/C till **18.1.19**.

Prosecution to take urgent steps to procure the attendance of the witnesses on the dates fixed.

D/C by me
Sd/-Subhasis Ghosh,

A.S.J.

Sd/-Subhasis Ghosh,
Additional Sessions Judge,
Khatra, Dist.- Bankura.
14.11.18.

