

CHARGES WITH FOUR HEADS

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

Special Case – 19/17.

1) Name and Office or Magistrate 1. (I) Shri Subhasis Ghosh,
Additional District & Sessions Judge,
Khatra, District – Bankura.
Judge, Special Court, Under POCSO Act.

2) Name of accused Person(s) hereby charge you (2) **Abdul Rof Khan,**
as follows:

First:- That you, on 19.11.2017 at about 4 A.M. (dawn) inside the village Lalbandh, P.S.- Taldangra near the paddy field of Barik Khan did commit murder causing death of Jamila Mondal

and thereby committed an offence punishable Under Section **302** of the Indian Penal Code , and within (3) the cognizance of this Court of Sessions.

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

Secondly :-That you, on the above mentioned time, place and date committed the offence of murder of Jamila Mondal and caused certain evidence of the said offence to disappear like washing your wearing pant after incident etc. to screening yourself from the legal punishment

and thereby committed an offence punishable Under Section **201** of the Indian Penal Code , and within (3) the cognizance of this Court of Sessions.

Thirdly :-That you, on the above mentioned time, place and date committed penetrative sexual assault upon the minor victim girl namely Jamila Mondal and that you thereby committed the offence punishable under section **4** of the Protection of Children From Sexual offences Act, 2012 within (3) the cognizance of the court of Sessions.

Fourthly :-That you, on during the above mentioned time, place and date committed aggravated penetrative sexual assault upon the minor victim girl namely Jamila Mondal in terms of Section 5 of the Protection of Children From Sexual offences Act, 2012 in a bid to commit murder to the said minor victim girl

and that you thereby committed the offence punishable under section 6 of the Protection of Children From Sexual offences Act, 2012

and thereby committed an offence punishable Under Section of the Indian Penal Code , and within (3) the cognizance of this 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 21st day of March, 2018.

Additional Sessions Judge,
Judge,
Special Court, Under POCSO Act.
Khatra, Dist.- Bankura.

Special case No. 19/17

Order No. 22,
Date- 21.3.18.

Accused Abdul Rof Khan 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 person and prays for framing of charge accordingly u/s 302/201 I.P.C and 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.

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 person has committed the offence punishable u/s 302/201 I.P.C and 4 & 6 of the Protection of Children from Sexual Offences Act, 2012 which is triable by the court of sessions. Accordingly charge u/s 302/201 I.P.C and 4 & 6 the Protection of Children from Sexual Offences Act, 2012 has been framed against the aforesaid accused person. The contents of charge so framed is read over and explained before the accused person when he pleaded not guilty and claimed to be tried.

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

Fix **5.4.18** for evidence of C.S. Witness No. 1,

Fix **7.4.18** for evidence of C.S. Witness No. 2,

Fix **12.4.18** for evidence of C.S. Witness No. 3,4,

Fix **16.4.18** for evidence of C.S. Witness No. 5,6,

Fix **18.4.18** for evidence of C.S. Witness No. 7 and 8.

Issue summons accordingly.

Aforesaid accused be remanded to J/C till **5.4.18**.

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

Investigating Officer namely Prosenjit Barai of Taldangra P.S. is hereby directed to remain present before this court on the aforesaid dates along with the witnesses. In absence of the I.O., O/C, Taldangra P.S. will do that.

Copy of this order be sent to the Investigating Officer namely Prosenjit Barai of Taldangra P.S. through O/C, Taldangra P.S. for information and taking necessary action.

Dictated & corrected
Sd/- Subhasis Ghosh,
A.S.J.

Sd/- Subhasis Ghosh,
Additional Sessions Judge,
Khatra, Dist.-Bankura.
Judge, Special Court,
Under the POCSO Act.
Khatra, Dist.- Bankura.

Special case No. 7/17

West Bengal Form No.3955.

High Court Criminal Form No.(P) 37.

CHARGES WITH THREE HEADS

[No.XXVIII(II), Schedule V, Act V, 1898]

(Sections 221, 222,223, Code of Criminal Procedure)

- Name and office I, Shri Subhasis Ghosh
Additional Sessions Judge
Khatra, Dist.- Bankura.

Name of accused hereby charge you **Khudiram Ghosh,**

(3) My cognizance or the
cognizance of the Court of
Session.

Firstly - that you on 21.4.17 at about 5.30 P.M. in your house situated at village Karakanali , P.S.- Simlapal attempted to commit rape upon the victim girl namely Mahi Ghosh aged about 4 years daughter of the defacto-complainant Sucharita Ghosh and that you thereby committed the offence punishable Under section **376/511** of the Indian Penal Code, and within(3) the cognizance of the court of Sessions.

Secondly- that you during the above mentioned time, place and date rubbed your penis on the vagina of the victim girl namely Mahi Ghosh by which you committed aggravated penetrative sexual assault upon the minor victim girl namely Mahi Ghosh daughter of the complainant Sucharita Ghosh and that you thereby committed the offence punishable under section **6** of the Protection of Children From Sexual offences Act, 2012 within (3 the cognizance of the court of Sessions.

(3) My cognizance or the
cognizance of the Court of
Session.

thirdly- that you on the above mentioned time, place and date committed sexual assault upon the minor victim girl namely Mahi Ghosh daughter of the complainant Sucharita Ghosh and that you thereby committed the offence punishable under section **8** of the Protection of Children From Sexual offences Act, 2012 within (3 the cognizance of the court of Sessions.

And I hereby direct that you be tried(4) by the said court On the said charge.

The contents of charge is read over and explained to the accused person in Bengali to which he pleaded not guilty by saying “Ami Nirdosh”and claimed to be tried.

Dated: this 18th day of July, 2017.

Signature of Judge

Additional Sessions Judge,
Judge, Special Court,
Under the POCSO Act.
Khatra, Dist.- Bankura.