

CR 11 of 2025

Present: Nilanjana Banerjee.

Addl. Chief Judicial Magistrate, 2nd Court, Dinhata, Cooch Behar.

JO Code: WB01192

Order No. 06, dt. 30.06.2025

Today is fixed for hearing.

The complainant filed hazira.

The suspects Saibul Miah, Chabiya Bibi, Sahanur Miah, Manowara Khatun filed hazira.

The suspects did not file any petition in writing in respect of taking cognizance in the case.

Ld. Advocate for the complainant verbally submitted that the suspect persons took the stridhan articles of the complainant.

Ld. Advocate for the suspects verbally submitted that the suspect persons do not have the stridhan articles of the complainant in their custody and the present complainant filed the instant case only to harass them.

Considering the submissions of Ld. Advocates for both the parties and the materials available on the record, this Court is of the opinion that cognizance of the case should be taken under section 223 BNSS.

The complainant Rubi Khatun is examined on SA as the PW 1.

Heard learned advocate for the complainant. Perused the complaint and the statement of the witness as well as other materials on record which discloses a prima facie case against the accused persons under sections 316(2)/61(2) of BNS as such I'm inclined to issue process against the accused persons namely, Saibul Miah, Chabiya Bibi, Sahanur Miah, Manowara Khatun U/s 227 of the BNSS for the offence punishable under sections 316(2)/61(2) of BNS. Accordingly issue summons upon the accused persons.

Requisite at once.

The complainant is filed in respect of sections 316(2)/61(2) of BNS read with section 96 of BNSS. There is no separate petition under section 96 of BNSS, for which this prayer is not allowed at present.

Fixing 08.08.2025 for SR and appearance.

Dictated and Corrected by Me:

A.C.J.M.
2nd Court, Dinhata.

A.C.J.M.
2nd Court, Dinhata.