

ORDER SHEET FOR SESSIONS RECORD

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, 2ND COURT,
BALURGHAT, DAKSHIN DINAJPUR**

Special Trial No. 20(01) of 2021
Special Case No.14 of 2017

CIS Registration No.108/2017

CNR - WBDD01-000796-2017

JO Code No.(WB00711)

Committing Officer,

CHARGES

**U/s-342/363/365/354/506/34 of Indian Penal Code &
under Sec.12 of POCSO Act against accds. 1. Niyoti
Hazra, 2. Dipu Hazra & 2. Sadak Nadeb .**

The charge is read over and explained to the accused who pleaded not
guilty and claimed to be tried.

**1. Niyoti Hazra,
2. Dipu Hazra &
3. Sadak Nadeb**

The following Juror/Assessors were chosen-

Foreman

Juror/Assessors

For the State----- Anjan Kumar Chakraborty

For the Accused----- Krishnadas Das

Special Trial No. 20(01) of 2021
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01

29-01-2021

Accuseds namely, 1. Niyoti Hazra, 2. Dipu Hazra & 3. Sadak Nadeb on C.B are present before this Court.

Today is fixed for appearance and for consideration of charge.

Ld. P.P.-in-charge and Ld. Defence Counsel – both are found present.

Draft charge filed by Ld. PP-in-charge. Perused the same.

Record is taken up for consideration of charge.

Heard Ld. PP-in-charge. Heard Ld. Defence counsel. Perused the materials on record and C.D.

Prima facie it appears that the accuseds 1. Niyati Hazra, 2. Dipu Hazra & 3. Sadak Nadeb committed the offence punishable under sections 342/363/365/354/506/34 of Indian Penal Code & under Section 12 of POCSO Act.

Accordingly charge is framed.

The contents of charge, as stated, was read over and explained to the accuseds to which the accuseds pleaded not guilty.

Formal charge is written in a separate sheet and attached herewith.

Fixed 03.05.2021 for examination of C/S witness Nos.1 & 2.

05.05.2021 for examination of C/S witness Nos.3 & 4.

06.05.2021 for examination of C/S witness Nos.5 & 6.

Issue summons accordingly.

Prosecution shall produce the witnesses and the alamat, if any, so that schedule does not fail.

Dictated & corrected by me

Judge

**Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.**

CHARGE WITH SIX HEADS
[No. XXVIII(II),Schedule V, ACT V, 1898.]
{Sections 221, 222, 223, Code of Criminal Procedure}
Special Trial No. 20(01) of 2021
Special Case No.14 of 2017
(CIS Registration No.108/2017)
CNR - WBDD01-000796-2017 **JO Code No.(WB00711)**

Name and office of Magistrate, &c.	I, Smt. Suparna Ray, Special Judge (under POCSO Act)-cum-ADJ, 2 nd Court,Balurghat, Dakshin Dinajpur hereby charge you,as follows :-
Name of accused persons	1. Niyoti Hazra, 2. Dipu Hazra & 3. Sadak Nadeb
State the offence	Firstly :- That you all on 23.03.2017 at about 15.00 hours at the house of Dipu Hazra at village Vikahar, under P.S. Tapan, Dist. Dakshin Dinajpur, in furtherance of common intention wrongfully confined a minor girl namely “Kabita Das” aged 17 years by restraining her movement towards any way and you have thereby committed an offence punishable under Section 342/34 of the Indian Penal Code, and within the cognizance of this court. Secondly :- That you all on 23.03.2017 at about 15.00 hours at the house of Dipu Hazra at village Vikahar, under P.S. Tapan, Dist. Dakshin Dinajpur, in furtherance of common intention kidnapped “Kabita Das” a minor girl aged 17 years, took or enticed out of keeping of the lawful guardians without consent and you have thereby committed an offence punishable under Section 363/34 of the Indian Penal Code, and within the cognizance of this court. Thirdly :- That you all on 23.03.2017 at about 15.00 hours at the house of Dipu Hazra at village Vikahar, under P.S. Tapan, Dist. Dakshin Dinajpur, in furtherance of common intention with the intent to cause her to be secretly and wrongfully confined a minor girl namely, “Kabita Das” aged 17 years, and you have thereby committed an offence punishable under Section 365/34 of the Indian Penal Code, and within the cognizance of this court. Fourthly :- That you all on 23.03.2017 at about 15.00 hours at the house of Dipu Hazra at village Vikahar, under P.S. Tapan, Dist. Dakshin Dinajpur, in furtherance of common intention with intention to outrage her modesty by doing an act of physical contact and advances involving unwelcome gestures and in such commission of the said offence on “Kabita Das” a minor girl aged 17 years, and you have thereby committed an offence punishable under Section 354/34 of the Indian Penal Code, and within the cognizance of this court. Fifthly :- That you all on 23.03.2017 at about 15.00 hours at the house of Dipu Hazra at village Vikahar, under P.S. Tapan, Dist. Dakshin Dinajpur, in furtherance of common intention with intention committed criminal intimidation by sending anonymous communication by treating a minor girl namely “Kabita Das” a minor girl aged 17 years with injury their persons and you thereby committed an offence punishable under Section 506/34 of the Indian Penal Code, and within the cognizance of this court. Sixthly :- That you all on 23.03.2017 at about 15.00 hours at the house of Dipu Hazra at village Vikahar, under P.S. Tapan, Dist. Dakshin Dinajpur, committed sexual harassment on a minor girl namely “Kabita Das” aged 17 years, and you thereby committed an offence punishable under Section 12 of POCSO Act, and within the cognizance of this court.
My cognizance or the cognizance of the Court of Session	

And I, hereby direct that you be tried by the said Court on the said charge.

In cases tried by Magistrate omit “by the said Court.”	The above mentioned charge is read over and explained to the accused persons to which they pleaded not guilty by saying “Amra Nirdos” and claimed to be tried.
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Dated : the 29th day of January, 2021.

**Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.**