

ORDER SHEET FOR SESSIONS RECORD

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

Special (POCSO) Case No.49 of 2025

Special Trial No.70A(09) of 2025

CIS Registration No.49/2025

CNR NO : WBDD01-001609-2025

Committing Officer,

CHARGES

**Under Sections 137(2)/140(3)/64 of BNS & Section 6 of POCSO
Act & Section 137(2)/140(3)/3(5) of BNS**

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

- 1.Manmatha Roy,**
- 2.Bimal Roy,**
- 3.Dhakeswari Roy**
- 4.Tumpa Roy &**
- 5.Ujjal Roy**

The following Juror/Assessors were chosen-

Foreman

Juror/Assessors

For the State-----Ritabrata Chakraborty/Anjan Kumar Chakraborty

For the Accused--- Biprojit Saha/Ratan Sarkar

Special (POCSO) Case No.49 of 2025

Special Trial No.70A(09) of 2025

CNR NO : WBDD01-001609-2025

01

08.09.2025

Today is fixed for production/appearance, supply of copy and consideration of charge.

Accused Manmatha Roy is produced before this court from J/C.

Accused Bimal Roy, Dhakeswari Roy, Tumpa Roy & Ujjal Roy on CB are present by filing hajira.

Copy is ready and the same is supplied to the accused on proper receipt.

Ld. Special P.P. and Ld. Defence Counsel are present.

Draft charge filed by Ld. Special P. P. Perused the same.

Record is taken up for charge hearing.

Heard Ld. Special P.P. Heard Ld. Defence counsel. Perused the materials on record and C.D.

Prima facie, it appears that there are sufficient materials to frame charge against the accused Manmatha Roy for offence punishable under sections 137(2)/140(3)/64 of BNS and Section 6 of POCSO Act & section 9 of Prohibition of Child Marriage Act and against the accused Bimal Roy, Dhakeswari Roy, Tumpa Roy & Ujjal Roy for offence punishable under sections 137(2)/140(3)/3(5) of BNS & section 10 of Prohibition of Child Marriage Act .

Accordingly charge is framed against the accused Manmatha Roy for offence punishable under sections 137(2)/140(3)/64 of BNS and Section 6 of POCSO Act & section 9 of Prohibition of Child Marriage Act and against the accused Bimal Roy, Dhakeswari Roy, Tumpa Roy & Ujjal Roy for offence punishable under sections 137(2)/140(3)/3(5) of BNS & section 10 of Prohibition of Child Marriage Act .

The substances of accusation is read over and explained to the accused person to which the accused person pleaded not guilty of offence by saying each accused “nirdosh” and claimed to be tried.

Charge is framed in a separate sheet and kept in the record.

To **12.11.2025** for production/appearance & evidence of CSW Nos.1 & 2.

To **13.11.2025** for production/appearance & evidence of CSW Nos.4 & 4.

To **14.11.2025** for production /appearance & evidence of CSW Nos.5 & 6.

Issue summons accordingly.

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

One bail application is filed for the accused Manmatha Roy.

Heard. Perused. Considered.

Issue notice upon the defacto complainant.

BC-II to comply.

To **20.09.2025** for production, appearance of defacto complainant and bail hearing.

Accused be remanded to J/C till next date. Bailed out accused before.

Dictated & corrected by me

Judge

**Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.
J.O Code No.WB 00690.**

CHARGES WITH FIVE HEADS
X[No. XXVIII(II),Schedule V, ACT V, 1898.]
{Sections 221, 222, 223, Code of Criminal Procedure}

Special (POCSO) Case No.49 of 2025
Special Trial No.70A(09) of 2025

CNR NO : WBDD01-001609-2025

Name and office of
Magistrate, &c. I, Smt. Sharanya Sen Prasad, Additional Sessions Judge, 2nd Court,
Balurghat, Dakshin Dinajpur hereby charge you, as follows :-

Name of accused
persons

Manmatha Roy,

State the
offence

Firstly :- That you on 05.05.2024 at village Jalalpur (Cheuri), under PS Gangarampur, District Dakshin Dinajpur kidnapped the victim girl aged 17 years by taking or enticing her out of keeping of her lawful guardians without consent and that you there by committed an offence punishable **under Section 137(2) of the BNS**, and within the **cognizance of this court**.

Secondly :- That you after 05.05.2024 at your house at Kasba Batoir, under PS Tapan, District Dakshin Dinajpur kidnapped the VG aged 17 years with intent to cause the VG to be secretly and wrongfully confined her and that you there by committed an offence punishable **under Section 140(3) of the BNS**, and within the **cognizance of this court**.

Thirdly :- That you after 05.05.2024 at your house at Kasba Batoir, under PS Tapan, District Dakshin Dinajpur committed rape repeatedly upon the victim girl 'X' aged 17 years and that you there by committed an offence punishable **under Section 64 of the BNS**, and within the **cognizance of this court**.

Fourthly :-That you after 05.05.2024 at your house at Kasba Batoir, under PS Tapan, District Dakshin Dinajpur committed aggravated penetrative sexual assault upon the victim girl 'X' aged about 17 years and that you there by committed an offence punishable **under Section 6 of the POCSO Act**, and within the **cognizance of this court**.

Fifthly :-That you after 05.05.2024 at your house at Kasba Batoir, under PS Tapan, District Dakshin Dinajpur being a male adult above eighteen yeas of age, contracted a child marriage with one child aged about 17 years and that you there by committed an offence punishable **under Section 9 of the Prohibition of Child Marriage Act**, and within the **cognizance of this court**.

In cases tried by
Magistrate omit "by
the said Court."

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

The above mentioned charge is read over and explained to the accused person to which he pleaded not guilty of offence and claimed to be tried.

Dated : the 8th day of September, 2025.

**Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.
J.O Code No.WB 00690.**

CHARGES WITH THREE HEADS
X[No. XXVIII(II),Schedule V, ACT V, 1898.]
{Sections 221, 222, 223, Code of Criminal Procedure}

Special (POCSO) Case No.49 of 2025
Special Trial No.70A(09) of 2025

CNR NO : WBDD01-001609-2025

Name and office of Magistrate, &c. I, Smt. Sharanya Sen Prasad, Additional Sessions Judge, 2nd Court, Balurghat, Dakshin Dinajpur hereby charge you, as follows :-

Name of accused persons **1. Bimal Roy, 2. Dhakeswari Roy, 3. Tumpa Roy & 4. Ujjal Roy**

State the offence ***Firstly :-*** That you all on 05.05.2024 at village Jalalpur (Cheuri), under PS Gangarampur, District Dakshin Dinajpur in furtherance of common intention kidnapped the victim girl aged 17 years by taking or enticing her out of keeping of her lawful guardian without consent and that you there by committed an offence punishable **under Section 137(2)/3(5) of the BNS**, and within the **cognizance of this court.**

Secondly :- That you all after 05.05.2024 at your house at Kasba Batoir, under PS Tapan, District Dakshin Dinajpur in furtherance of common intention kidnapped the VG aged 17 years with intent to cause the VG to be secretly and wrongfully confined her and that you there by committed an offence punishable **under Section 140(3)/3(5) of the BNS**, and within the **cognizance of this court.**

Thirdly :-That you all after 05.05.2024 at your house at Kasba Batoir, under PS Tapan, District Dakshin Dinajpur in furtherance of common intention abetted Manmatha Roy for marriage with a child aged about 17 years and that you there by committed an offence punishable **under Section 10 of the Prohibition of Child Marriage Act**, and within the **cognizance of this court.**

In cases tried by Magistrate omit “by the said Court.”

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

The above mentioned charge is read over and explained to the accused persons to which they pleaded not guilty of offence and claimed to be tried.

Dated : the 8th day of September, 2025.

**Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.
J.O Code No.WB 00690.**