

ORDER SHEET FOR SESSIONS RECORD

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

Sessions Case No.257 of 2024

Sessions Trial No.44(09) of 2023

CIS Registration No.257/2024

CNR NO : WBDD01-001997-2024

Committing Officer,

Chief Judicial Magistrate,
Dakshin Dinajpur at Balurghat

CHARGES

**Under Sections 363/365/34, 376/109 & 212 of Indian
Penal Code.**

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

- 1. Nepal Mahato**
- 2. Rama Das**
- 3. Pinki Mahato**
- 4. Biru @ Biren Mahanta**
- 5. Depali Mahanta**
- 6. Supriya Sarkar @ Sukla**

The following Juror/Assessors were chosen-

Foreman

Juror/Assessors

For the State-----Ritobrota Chakraborty/

For the Accused----- Subham Saha

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10.09.2024

All the six (06) accused persons namely, 1. Nepal Mahato , 2. Rama Das, 3. Pinki Mahato , 4. Biru @ Biren Mahanta, 5. Depali Mahanta, & 6. Supriya Sarkar @ Sukla on C.B are present today.

Today is fixed for appearance and consideration of charge.

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

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

Record is taken up for charge hearing.

Heard Ld. 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 Nepal Mahato , Rama Das, Pinki Mahato , Biru @ Biren Mahanta, Depali Mahanta,& Supriya Sarkar @ Sukla for offence punishable under sections 363/365/34, 376/109 & 212 of Indian Penal Code.

Accordingly charge is framed against the accused Nepal Mahato , Rama Das, Pinki Mahato, Biru @ Biren Mahanta, Depali Mahanta,& Supriya Sarkar @ Sukla for offence punishable under sections 363/365/34, 376/109 & 212 of Indian Penal Code.

The substances of charge, as stated, were read over and explained to the accused persons to which the accused persons pleaded not guilty of offence by saying "nirdosh" by each accused and claimed to be tried.

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

To **06.02.2025** for examination of C/S witnesses No.1 & 7.

To **07.02.2025** for examination of C/S witnesses No.2 & 3.

To **10.02.2025** for examination of C/S witnesses No.4 & 5.

To **11.02.2025** for examination of C/S witnesses No.9 & 10.

To **12.02.2025** for examination of C/S witnesses No.11 & 15.

To **13.02.2025** for examination of C/S witnesses No.16 & 19.

Issue summons accordingly.

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

Accused as before.

Dictated & corrected by me

Judge

**Additional Sessions Judge, 2nd Court,
Balurghat, Dakshin Dinajpur.
J.O Code No.WB 00690.**

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

Sessions Trial No. 44(09) of 2023
Sessions Case No.257 of 2024
CNR NO : WBDD01-001997-2024

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. Nepal Mahato , 2. Rama Das, 3. Pinki Mahato , 4. Biru @ Biren Mahanta, 5. Depali Mahanta & 6. Supriya Sarkar @ Sukla

State the offence

Firstly :- That you all on 21.05.2011 at village Patiram Nicha Bandar, under PS Balurghat (presently Patiram), Dakshin Dinajpur in furtherance of common intention kidnapped the victim girl aged 16 years by taking or enticing her out of keeping of her lawful guardian without consent and that you thereby committed an offence punishable **under Section 363/34 of the Indian Penal Code**, and within the **cognizance of this court**.

Secondly :- That you all after 21.05.2011 at your relatives house at Tapan, Buniadpur, Gangarampur & Balurghat, District Dakshin Dinajpur in furtherance of common intention voluntarily with intend to cause the victim girl aged 16 years to be secretly and wrongfully confined her and that you thereby committed an offence punishable **under Section 365/34 of the Indian Penal Code**, and within the **cognizance of this court**.

Thirdly :- That you all after 21.05.2011 at your relatives house at Tapan, Buniadpur, Gangarampur & Balurghat, District Dakshin Dinajpur in furtherance of common intention abetted Manik Mahanta to commit rape upon the victim girl aged 16 years and that you thereby committed an offence punishable **under Section 307/109 of the Indian Penal Code**, and within the **cognizance of this court**.

Fourthly :- That you all after 21.05.2011 at your relatives house at Tapan, Buniadpur, Gangarampur & Balurghat, District Dakshin Dinajpur in furtherance of common intention concealed Manik Mahanta and the victim girl aged 16 years and that you thereby committed an offence punishable **under Section 212 of the Indian Penal Code**, 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 10th day of September, 2023.

**Additional Sessions Judge, 2nd Court,
Balurghat, Dakshin Dinajpur.
J.O Code No.WB 00690.**