

ORDER SHEET FOR SESSIONS RECORD

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

Special (POCSO) Case No.64 of 2023

Special Trial No.36(06) of 2024

CIS Registration No.89/2023

CNR NO : WBDD01-002642-2023

Committing Officer,

CHARGES

**Under Sections 448/323/354/506/34 of Indian Penal Code &
Section 12/17 of POCSO Act.**

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

- 1. Shibam Biswas &**
- 2. Raja Roy @ Bappa Roy**

The following Juror/Assessors were chosen-

Foreman

Juror/Assessors

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

For the Accused---Nirmal Saha

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14.06.2024

Both the accused Shibam Biswas & Raja Roy @ Bappa Roy on C.B are present before this court.

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. 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 Shibam Biswas & Raja Roy @ Bappa Roy for offence punishable under sections 448/323/354/506/34 of I.P.C and section 12/17 of POCSO Act.

Accordingly charge is framed against the accused Shibam Biswas & Raja Roy @ Bappa Roy for offence punishable under sections 448/323/354/506/34 of I.P.C and section 12/17 of POCSO 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 "nirdosh" and claimed to be tried.

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

To **02.12.2024** for examination of C/S witnesses No.1 & 11.

To **03.12.2024** for examination of C/S witnesses No.2 & 3.

To **04.12.2024** for examination of C/S witnesses No.4 & 5.

To **05.12.2024** for examination of C/S witnesses No.6 & 7.

To **06.12.2024** for examination of C/S witnesses No.8 & 14.

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

**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.64 of 2023
Special Trial No.36(06) of 2024

CNR NO : WBDD01-002642-2023

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. Shibam Biswas & 2. Raja Roy @ Bappa Roy

State the
offence

Firstly :- That you on or before 29.09.2023 at village Mamna, under PS Balurghat, District Dakshin Dinajpur in furtherance of common intention of causing hurt committed criminal trespass by entering into the house in possession of 'Palash Barman and his wife' hurt and that you thereby committed an offence punishable **under Section 448/34 of the Indian Penal Code**, and within the **cognizance of this court**.

Secondly :- That you on or before 29.09.2023 at village Mamna, under PS Balurghat, District Dakshin Dinajpur in furtherance of common intention voluntarily caused hurt to the 'Palash Barman and his wife' and that you there by committed an offence punishable **under Section 323/34 of the Indian Penal Code**, and within the **cognizance of this court**.

Thirdly :- That you on or before 29.09.2023 at village Mamna, under PS Balurghat, District Dakshin Dinajpur in furtherance of common intention committed criminal force to 'Victim girl' aged about 15 years with intent to outrage her modesty and in such commission of the said offence and that you there by committed an offence punishable **under Section 354/34 of the Indian Penal Code**, and within the **cognizance of this court**.

Fourthly :- That you on or before 29.09.2023 at village Mamna, under PS Balurghat, District Dakshin Dinajpur committed by sending anonymous communication to the victim girl 'X' aged about 15 years to deter her from telling the incident to anyone and that you there by committed an offence punishable **under Section 506/34 of the Indian Penal Code**, and within the **cognizance of this court**.

Fifthly :- That you on or before 29.09.2023 at village Mamna, under PS Balurghat, District Dakshin Dinajpur committed sexual harassment on the victim girl 'X' aged about 15 years while she was going to school and that you there by committed an offence punishable **under Section 12/17 of the POCSO 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 13th day of June, 2024.

**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.64 of 2023
Special Trial No.36(06) of 2024

CNR NO : WBDD01-0026422023

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. Joynal Mandal, 2. Nurbabu Bibi & 3. Jinnatun Bibi

State the
offence

Firstly :- That you all on 17.09.2022 at about 10:00 hours at village Doraha, under PS Kumarganj, District Dakshin Dinajpur in furtherance of common intention kidnapped the victim girl 'X' aged about 15 years took or enticed out of keeping of the lawful guardian without their consent and that you there by committed an offence punishable **under Section 363/34 of the Indian Penal Code**, and within the **cognizance of this court**.

Secondly :- That you all on 17.09.2022 at about 10:00 hours at village Doraha, under PS Kumarganj, District Dakshin Dinajpur in furtherance of common intention with intent to cause her to be secretly and wrongfully confined the victim girl 'X' aged about 15 years and that you there by committed an offence punishable **under Section 365/34 of the Indian Penal Code**, and within the **cognizance of this court**.

Thirdly :- That you on 17.09.2022 at about 10:00 hours at village Doraha, under PS Kumarganj, District Dakshin Dinajpur in furtherance of common intention voluntarily caused hurt to the victim girl 'X' aged about 15 years and that you there by committed an offence punishable **under Section 323/34 of the Indian Penal Code**, and within the **cognizance of this court**.

Fourthly :- That you on 17.09.2022 at about 10:00 hours at village Doraha, under PS Kumarganj, District Dakshin Dinajpur in furtherance of common intention abetted an offence upon the victim girl 'X' aged about 15 years and that you there by committed an offence punishable **under Section 4/17 of the POCSO 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 05th day of June, 2024.

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