

ORDER SHEET FOR SESSIONS RECORD

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

Special case No.55 of 2022
Special Trial No.12(02) of 2023

CIS Registration No.175/2022

CNR NO : WBDD01-002715-2022 J.O Code No.WB 00602.

Committing Officer,

CHARGES

**U/s- 363/365/376 of Indian Penal Code & Sec.6 of POCSO
Act & Section 9 of Prohibition of Child Marriage Act, 2006.**

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

Subash Samanta

The following Juror/Assessors were chosen-

Foreman

Juror/Assessors

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

For the Accused----- Koushik Kumar Laha

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08.02.2023

The accused person namely, Subash Samanta on C.B is present today.

Today is fixed for appearance and consideration of charge.

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

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

Record is taken up for consideration of charge.

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

Prima facie, it appears that the accused Subash Samanta committed the offence punishable under sections 363/365/376 of I.P.C & under section 6 of POCSO Act & Section 9 of Prohibition of Child Marriage Act, 2006.

Accordingly charge is framed.

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

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

Fixed **29.05.2023** for examination of C/S witnesses No.1 & 9.

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.**

CHARGES WITH FIVE HEADS

[No. XXVIII(II),Schedule V, ACT V, 1898.]
{Sections 221, 222, 223, Code of Criminal Procedure}
Special Trial No.12(02) of 2023
Special Case No.55 of 2022

CNR NO : WBDD01-002715-2022

J.O Code No.WB 00602.

Name and office of
Magistrate, &c.

I, Smt. Sujata Kharga, Special Judge (under POCSO Act)-cum-ADJ,
2nd Court,Balurghat, Dakshin Dinajpur hereby charge you,as
follows :-

Subash Samanta.

Name of accused persons

State the offence

Firstly : - That on 05.08.2022 at about 10:00 hrs at village
Muktarampur, under PS Tapan, District Dakshin Dinajpur you
kidnapped the VG aged 17 years took or enticed out of keeping of the
lawful guardian without consent and you have there by committed an
offence punishable **under Section 363 of the Indian Penal Code**,
and within the **cognizance of this court**.

Secondly :- That on 05.08.2022 at about 10:00 hrs at village
Muktarampur, under PS Tapan, District Dakshin Dinajpur you with
the intent to cause her to be secretly and wrongfully confined the VG
aged 17 years and you have thereby committed an offence punishable
under Section 365 of the Indian Penal Code, and within the
cognizance of this court.

Thirdly :- That on or after 05.08.2022 at Nabadwip you committed
rape upon the VG aged 17 years and you have thereby committed an
offence punishable **under Section 376 of the POCSO Act**, and within
the cognizance of this court.

Fourthly :- That on or after 05.08.2022 at Nabadwip you committed
aggravated penetrative sexual assault on the VG aged 17 years and
you have thereby committed an offence punishable **under Section 6
of the POCSO Act,, and within the cognizance of this court**.

My cognizance or the
cognizance of the
Court of Session

Fifthly :- That on or after 05.08.2022 at Nabadwip you being a male
adult above eighteen years age, contracted a child marriage with one
child aged 17 years and you have thereby committed an an offence
punishable **under Section 9 of the Prohibition of Child Marriage
Act, 2006 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 by saying "Ami Nirdos"
and claimed to be tried.

Dated : the 08th day of February, 2023.

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