

**G.R. Case 111 of 2025 Reg. no. 232 of 2025**

Order No. 11

Dated: 06.04.2026

Today is fixed for appearance and plea i.d W/A.

Accused persons namely Rupesh Baraily @ Marcos and Avinash Dewan @ Barun on court bail are present by filing hazira.

Ld. Advocate for the accused and the Ld. APP are present.

The case record is accordingly, taken up for plea.

Perused the materials on record.

Considered.

Prima facie, there is ground for presumption that the accused persons have committed offences u/s 126(2)/115(2)/3(5) of BNS. The following substance of accusation is stated to the accused persons in Nepali -

"It has been alleged that on 05.05.2025 at about 18.00 hrs you in furtherence of common intention physically assaulted the defacto complainant and you thereby wrongfully restrained and voluntarily caused hurt on the person of the complainant. For the said reasons a plea u/s 126(2)/115(2)/3(5) of BNS is brought against you. Do you plead guilty or not guilty ?"

Having understood the substance of accusation, the accused persons pleaded not guilty by saying "kasur chaina " in Nepali and claim to be tried.

To **20.05.2026** for evidence of defacto complainant.

Issue summons accordingly.

BCII to comply.

**D & C by me**

**Chief Judicial Magistrate,  
Darjeeling**

**Chief Judicial Magistrate  
Darjeeling  
UID No. WB01231**