

SC 239 of 21
CNR No. WBEM01-003173-2021

Order No. 9, dt. 30.04.2022

Today is fixed for appearance of the accused persons and consideration of charge.

Out of five (5) accused persons on CB, four (4) accused persons are present by filing hazirans. Rest one accused namely, Rinki Bibi @ Mursida Bibi is absent by petition on the ground of her illness.

The ld P.P in-charge and the ld Defence counsel are present.

CD is produced.

A petition u/sec. 228 (1)(a) of Cr.P.C is filed on behalf of the accused persons.

Heard the ld. Advocate representing the accused persons.

Heard the ld. PP in-charge.

Perused the case diary.

It appears from the case record that after completion of investigation, police submitted charge sheet against the accused persons u/sec. 341/448/323/325/376/511/506 read with section 34 of IPC. It also appears from the record that during investigation of this case, the victim was produced before the ld. Magistrate and her statement was recorded u/sec. 164 of Cr.P.C. The statement of the victim recorded u/sec. 164 of Cr.P.C reflects sufficient prima facie ingredients to frame charge against one of the accused persons namely, Sk. Soleman Ali u/sec. 376/511 of IPC which is exclusively triable by a Court of Sessions.

So, I do not find any merit in the petition filed u/sec. 228 (1)(a) of Cr.P.C.

Hence, the petition u/sec. 228 (1)(a) of Cr.P.C is considered and stands rejected.

The case is adjourned for ends of justice.

Fix 06.08.2022 for appearance of all the accused persons and consideration of charge.

Sureties are directed to produce all the accused persons on the date fixed positively.

Dic. & Corr.by me.

Sd/-

A.S.J, 2nd Court
Tamluk, Purba Medinipur.
J.O Code WB01428.

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