

Sessions Trial No 17/April/2024

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Session Case No. 329/2023

CNR -WBEM 0100 4298 2023

Present : **Annada Sankar Mukhopadhyay**
(JO Code-WB 00863)
Additional Sessions Judge,
4th Court Tamluk, Purba Medinipur.

State of West Bengal -Vs.- Abul Hossain & 03 Ors.

Order No. 01 dated 30.04.2024

Today is fixed for appearance and consideration of charge.

All four-4 accused persons namely, **1. Abul Hossain, 2. Sk. Rejabul Karim, 3. Sk. Golam Mustafa, 4. Sk. Nasim Ali** on Court bail are present by filing hazira.

Ld. P.P. in charge is present.

Ld. Advocate for the accused is also present.

Ld. P.P. in charge initiated proceeding by opening the case of the prosecution u/s. 226 Cr.P.C. describing the charges brought against the accused persons **1. Abul Hossain, 2. Sk. Rejabul Karim, 3. Sk. Golam Mustafa, 4. Sk. Nasim Ali** for offence u/ss. 341/323/307/506/34 of I.P.C.

Now, in presence of Ld. P.P. in charge and Ld. Defence Counsel, the record is taken up for framing of charge.

Perused the case record as well as FIR, charge-sheet, the statement of witnesses under Section 161 CrPC and the documents produced.

Upon perusal of material and report under Section 173 CrPC, this court is of considered view that there is sufficient material for commission of offence punishable u/ss. 325/307/506/34 of I.P.C against **1. Abul Hossain, 2. Sk. Rejabul Karim, 3. Sk. Golam Mustafa, 4. Sk. Nasim Ali**

Accordingly charge is framed against the accused persons, namely, **1. Abul Hossain, 2. Sk. Rejabul Karim, 3. Sk. Golam Mustafa, 4. Sk. Nasim Ali** punishable u/s. 325/307/506/34 of I.P.C.

The contents of the charge are read over and explained to all the accused persons in language of Court and in their own language respectively and on being asked, all the accused persons pleaded not guilty by saying individually 'Ami Nirdosh' and claimed to be tried.

The charge form of **three** heads is duly filled up by this court and is kept with the record as a part of this case record.

Fixing: **04.07.24** for evidence of CSW 1.

05.07.24 for evidence of CSW 2 and 3.

06.07.24 for evidence of CSW 4 & 5.

08.07.2024 for evidence of CSW 6 & 7.

09.07.2024 for evidence of CSW 9.

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Prosecution is directed to submit detailed case calendar before trial begins and accused person(s) has/have given liberty to file application under section 231 of the Cr.P.C before preparation of case calendar in accordance with the decision of the Hon'ble Supreme Court in **State of Kerala V Rasheed** reported in (2019) 13 SCC 297. Prosecution is directed to produce witnesses in accordance with the decision of the Hon'ble Supreme Court in **Rajesh Yadav and Another V State of Uttar Pradesh** reported in (2022) 12 SCC 200.

Prosecution is to take step to bring the witnesses. Issue summons.

I.O must be present on every dates during trial, ensure production of witnesses and shall assist the Learned Public Prosecutor. Seized alamats be produced each day of trial. Inform I.O.

Accused persons are as before.

Dictated & corrected by me.

Sd/-

Addl. Sessions Judge
4th Court, Tamluk,
Purba Medinipur

sd/-

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4th Court, Tamluk,
Purba Medinipur.