

Order No. 01, dated 11.01.2021

All five (05) accused persons on C.B are present by filing hazira.

Ld. Special P.P is present.

Ld. Advocate for the accused persons is also present.

Now the record is taken up for framing of charge.

Heard Ld. Special P.P and Ld. Advocate appearing for the accused persons.

Ld. Special P.P submits that a strong prima facie case under Section 376AB of the I.P.C and Section 6 of the POCSO Act has been made out against accused Satyaban Nayak and under Section 323/354/379/34 of the I.P.C has been made out against other accused persons.

Ld. Advocate appearing for the accused persons raises no objection.

Ld. Special P.P opens the case and describes the charge. She also describes the evidence by which she proposes to prove the guilt of the accused persons.

I have perused the F.I.R., charge-sheet, statements of the witnesses recorded u/S 161 of the Code of Criminal Procedure and all other materials available in the C.D.

Having considered the submissions made by the Ld. P.P-in-Charge and the Ld. Defence Counsel and having gone through the materials as indicated above, I am of the opinion that there is ground for presuming that the accused persons have committed the alleged offence which are exclusively triable by this Court.

Hence, charge under Section 376AB of the I.P.C and Section 6 of the POCSO Act is framed against accused Satyaban Nayak and under Section 323/34, 354/34, 379/34 of the I.P.C is framed against accused persons, namely, Madan Nayak, Biswajit Nayak, Soumen Nayak and Shibu Nayak @ Subhamoy Nayak. The charge so framed is read over and explained to the accused persons to which they each pleaded not guilty by saying "Ami Nirdosh" and claimed to be tried.

Charge framed in separate sheet be kept with the record.

Fix 08.03.2021 for evidence.

Fix 10.03.2021 for evidence.

Accused persons on C.B as before.

Ld. Special P.P to take steps accordingly.

C.D is returned.

D/C by me.
Sd/-
A.S.J.

Sd/- S.M. Tripathi
Additional Sessions Judge, 1st Court-cum-
Judge, Special Court, Contai.