

Sessions Trial No. 32 (11 ) 2021  
Sessions Case No. 39 / 2020  
G.R. Case No. 1569 / 2019  
Chinsurah P.S. Case No. 20 / 2019 dt. 23.09.2019  
CNR – WBHG01-001116 -2020

Order No. 01 Dt. 10.12.2021

Today is the date fixed for hearing of petition dated 24.03.2021 and consideration of charge.

All the four accused persons namely 1) Debajyoti Patra, 2) Tapas Patra, 3) Chinmoyee Patra and 4) Aheli Patra on CB are present before this Court by filing hazira through their Ld. Advocate.

Ld.PP, Hooghly is also present before this Court and filed a draft charge which is kept within the record.

Now the case record is taken up for consideration of charge.

Heard both sides. Perused the materials on record.

After consideration and hearing both sides, I am of the opinion that there are grounds for presuming that the accused persons namely 1) Debajyoti Patra, 2) Tapas Patra, 3) Chinmoyee Patra and 4) Aheli Patra have committed offence punishable under sections **498A/ 30B/34** of Indian Penal Code which is exclusively triable by this court.

Accordingly, charges are framed in separate sheet against the accused persons namely 1) Debajyoti Patra, 2) Tapas Patra, 3) Chinmoyee Patra and 4) Aheli Patra for the offence punishable under sections **498A/ 30B/34** of Indian Penal Code which is kept with the case record.

Charges are read over and explained in vernacular to the accused persons to which they plead not guilty by saying individually "Ami nirdosh" and claim to be tried.

Fix 28.01.2022 for fixing date of trial.

Issue summons accordingly. Prosecution to take steps also.

Now the petition dated 24.03.2021 filed by Ld. Defence counsel is taken up for hearing.

Ld. Defence Counsel submits that he requires four mobile phones which were seized at the time of investigation by I.O of this case. He further submits that these mobile phones are very essential to the accused persons and prays for return of the same.

Heard Ld.-PP-Hooghly who submits that there may be some incriminating materials in these seized mobile phones and without the presence of I.O, it is not possible for him to say anything about its return. He prays that the petition be heard in presence of I.O for the ends of justice.

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Prayer of Ld. PP-Hooghly is hereby considered and allowed.

The I.O of this case is directed to appear before this Court on the next date i.e 28.01.2022 personally to explain the reason for seizing of these mobile phones and its return.

Let a copy of this order be sent to I/C of Chinsurah Woman P.S of this case for information and necessary compliance.

Accused persons are as before.

Dictated & corrected by me.

Sd/-  
A.S.J.

Sd/-  
(Varsha Bansal Agarwal)  
Additional Sessions Judge,  
3<sup>rd</sup> Court, Chinsurah, Hooghly  
WB01307