

**S.T. 375/2018**

West Bengal Form No.3957

High Court Criminal Form No. (p) 38

CHARGE WITH TWO HEAD

(No.XXVIII9(II),Schedule,ACT,1898)

(Sections 221,222,223 Code of Criminal Procedure)

(1)Name and Office of Magistrate (1) **Sri Amit Chattopadhyay,**  
**Addl. S.J, 3<sup>rd</sup> Court, Howrah**

(2)Name of accused person hereby charge you (2)  
as follows-

- 1) Laxmi Ojha
- 2) Paresh Nath Dey
- 3) Banamal Ghosh
- 4) Debasish Dirghani
- 5) Laltu Kotal
- 6) Samaresh Ghosh
- 7) Alik Koley
- 8) Bimal Roy
- 9) Rinku Mondal
- 10) Mplay Paul
- 11) Samir Patra
- 12) Arup Kr. Nandi
- 13) Bhola Patra
- 14) Subhankar Kotal
- 15) Ujjal Banerjee
- 16) Shyamal Roy @ Satya
- 17) Monmohan Batabyal
- 18) Suwendu Sarkar
- 19) Paban Ghosh

**Firstly :-** That all of you on 21.11.2017 at 14.15 hrs at Shankar Lati Vivekanand, Shishu Mondir, PS J.B.Pur District Howrah you are all threatened to Sujit Banerjee with murder and lowerdown his prestige regarding his character and that you thereby committed an offence punishable U/S. 306 of I.P.C. and within the cognizance of this Court of Sessions.

**Secondly :-** That all of you on 21.11.2017 at 14.15 hrs at Shankar Lati Vivekanand, Shishu Mondir, PS J.B.Pur District Howrah in furtherence of common intention of both of you all committed threatened to Sujit

Banerjee with murder and lower down his prestige regarding his character and provoked/abused to suicide and that you thereby committed an offence punishable U/S. 34 of I.P.C. and within the cognizance of this Court of Sessions.

And I hereby direct that you be tried by the said Court on the said charge the contents of the charge were read over and explained to the accused persons in Bengali and they pleaded not guilty and claimed to be tried by saying “ Amra Nirdosh”.

**Dated this 06<sup>th</sup> day of January, 2020**

Dictated & Corrected by me,

Addl. Sessions Judge,  
3<sup>rd</sup> Court, Howrah.

Addl. Sessions Judge,  
3<sup>rd</sup> Court, Howrah.

**S.T. 375/2018**

**West Bengal Form No. 3891  
H.C. Criminal Form No. (M) 21**

ORDER -SHEET FOR SESSIONS RECORD

IN THE COURT OF DISTRICT/ADDITIONAL OR  
ASSISTANT SESSIONS JUDGE OF  
Committing Officer

No. 1 **Chief Judicial Magistrate, Howrah**

**C H A R G E S**

**Under section 306/34 of I.P.C.**

The charge is read and explained to the accused who pleaded not guilty

- 1) Laxmi Ojha
- 2) Paresh Nath Dey
- 3) Banamal Ghosh
- 4) Debasish Dirghani
- 5) Laltu Kotal
- 6) Samaresh Ghosh
- 7) Alik Koley
- 8) Bimal Roy
- 9) Rinku Mondal
- 10) Mplay Paul
- 11) Samir Patra
- 12) Arup Kr. Nandi
- 13) Bhola Patra
- 14) Subhankar Kotal
- 15) Ujjal Banerjee
- 16) Shyamal Roy @ Satya
- 17) Monmohan Batabyal
- 18) Suvendu Sarkar
- 19) Paban Ghosh

The following Jurors/Assessors were chosen

Foreman  
Jurors/Assesso

For the State -

For Accused -

Enter below all proceedings and orders

IN THE COURT OF LD. ADDITIONAL SESSIONS COURT, 3RD COURT, HOWRAH  
**S. T. Case No. 375 of 2018**  
Present : Sri Amit Chattopadhyay  
Additional Sessions Judge,  
**3<sup>rd</sup> Court, Howrah**

**Order No.1 dated 06.01.2020**

Accused persons 1) Laxmi Ojha, 2) Paresh Nath Dey, 3) Banamal Ghosh, 4) Debasish Dirghani, 5) Laltu Kotal, 6) Samaresh Ghosh, 7) Alik Koley, 8) Bimal Roy, 9) Rinku Mondal, 10) Mplay Paul, 11) Samir Patra, 12) Arup Kr. Nandi, 13) Bhola Patra, 14) Subhankar Kotal, 15) Ujjal Banerjee, 16) Shyamal Roy @ Satya, 17) Monmohan Batabyal, 18) Suvendu Sarkar, 19) Paban Ghosh on C.B are present by filing hazira.

Today is fixed for consideration of charge.

Ld. P.P. Incharge is present.

Ld. Defence Lawyers on behalf of all accused persons are present.

Ld. P.P.Incharge opens his case and submitted that there is sufficient prima facie evidence against the accused persons. So, he opens his case by describing the charge brought against accused persons and stating that what evidence he has proposed to prove the guilt of the accused persons.

Heard Ld. Advocate for the accused persons on the point of charge. He submitted that there is no sufficient prima facie evidence against accused persons.

Perused the record, the documents there with and the case diary.

Having heard submission of both sides and on perusal of the record of the case, the documents submitted therewith and the case diary, I am of the opinion that there is sufficient ground for presuming that the accused persons have committed offence punishable under sections 306/34 of I.P.C.

Accordingly, I frame charge against the accused persons namely 1) Laxmi Ojha, 2) Paresh Nath Dey, 3) Banamal Ghosh, 4) Debasish Dirghani, 5) Laltu Kotal, 6) Samaresh Ghosh, 7) Alik Koley, 8) Bimal Roy, 9) Rinku Mondal, 10) Mplay Paul, 11) Samir Patra, 12) Arup Kr. Nandi, 13) Bhola Patra, 14) Subhankar Kotal, 15) Ujjal Banerjee, 16) Shyamal Roy @ Satya, 17) Monmohan Batabyal, 18) Suvendu Sarkar, 19) Paban Ghosh in writing for trial under sections 306/34 of I.P.C.

Let the separate sheet containing charge against the accused persons be kept with the record.

The contents of the charge so framed are read over explained to the accused persons in Bengali and they pleaded not guilty and claimed to be tried by saying “ Amra Nirdosh”.

Hence, fix 20.04.2020, 21.04.2020 and 22.04.2020 for evidence.

Ld. P.P.Incharge is also requested to issue summons upon the witnesses.

To date for appearance of the accused persons.

Dictated & Corrected by me,

Addl. Sessions Judge,  
3<sup>rd</sup> Court, Howrah.

Addl. Sessions Judge,  
3<sup>rd</sup> Court, Howrah.