

Sessions Trial Case No.57(12)2016
S.C-191 of 2015 / G.R.-4740 of 2014

Present : P.C.Karmakar, ADJ, Mal, Jalpaiguri.

Order no.1 dated 15.12.016

Sole accused **Arju Lohar** on Court bail is present by filing hazira.

Ld. PP in-charge Mr. K.Sen filed hazira.

Today is fixed for consideration of charge.

Ld. P.P. In Charge is ready for framing of charge.

The matter for consideration of charge of the above accused person is taken up for hearing in presence of both sides.

Heard both sides. Perused the materials on record.

On perusal of the statement of the witnesses recorded u/s.161 Cr. P. Code during investigation vis a vis the other materials on record, I find that a prima facie case has been made out against the above accused person **u/s.341/325/376** of the Indian Penal Code and this court is competent to try the case and punish the accused person adequately.

Accordingly charge is framed against the above accused person **u/s.341/325/376** of the Indian Penal Code and the same is read over and explained to him to which he pleads not guilty by saying 'ami nirdosh' and claims to be tried.

The charge framed in separate sheet be kept with the record.

The case be recorded in the Trial Register as **Sessions Trial Case No.57(12)2016.**

To **17.02.2017** for evidence of CSW 1 & 2.

Issue summons accordingly.
Alamat be called for.

Dic. & Corrected by me

Addl. Sessions Judge
Mal, Jalpaiguri

Addl. Sessions Judge
Mal, Jalpaiguri

Charges with three Heads.
(No. XXVIII(II), Schedule V, Act V,1898)
Sections 221, 222, 223, Code of Criminal Procedure)

Name & Office of
Magistrate, & C

Sessions Trial Case No 57 (12) 2016
S.C.191 of 2015/ G.R-4740 of 2014
Ref: Mal Police Station Case No.574 dated 04.10.2014

I, **Sri P.C.Karmakar.**
Addl. Dist. & Sessions Judge
Mal, Jalpaiguri.

hereby charge you

name of the accused person/s

1) Arju Lohar.

as follows-

(3)My cognizance or
the cognizance of the
Court of Sessions

Firstly - That you on 03.10.2014 between 09.30 pm to 12.00 at night wrongfully restrained Madina Khatoon, aged about 50 years inside the tea garden beside Lees River and Church of Bara Line of Lees River Tea Garden under P.S Mal, Dist- Jalpaiguri and that you thereby committed an offence punishable under Section **341** of the Indian Penal Code and within the cognizance of this Court.

Secondly - That you on 03.10.2014 between 09.30 pm to 12.00 at night committed rape upon Madina Khatoon, aged about 50 years inside the tea garden beside Lees River and Church of Bara Line of Lees River Tea Garden under P.S Mal, Dist- Jalpaiguri and that you thereby committed an offence punishable under Section **376** of the Indian Penal Code within the cognizance of this Court.

Thirdly - That you on 03.10.2014 between 09.30 pm to 12.00 at night voluntarily caused grievous hurt to Madina Khatoon, aged about 50 years inside the tea garden beside Lees River and Church of Bara Line of Lees River Tea Garden under P.S Mal, Dist- Jalpaiguri and that you thereby committed an offence punishable under Section **325** of the Indian Penal Code and within the cognizance of this Court.

(4) In cases tried
by Magistrate, "by the said court"
charge

And I hereby direct you to be tried by the said Court on the said charge.

The contents of the charge are read over and explained to the accused person to which he pleads not guilty by saying 'ami nirdosh' and claims to be tried.

Dated this 15th Day of December, 2016

(P.C.Karmakar)
Additional Sessions Judge.
Mal, Jalpaiguri