

Special (POCSO) case no. 96/2015

J.O Code- WB00732

Order no. 47 dt. 03.4.2024:-

Two accused/persons, namely, Ramdhani Baraik and Matha Oraon on c/b are present by filing their hazira.

A fresh vakalatnama is filed on behalf of accused Ramdhani Baraik by Ld. Advocate Sri Pintu Deb.

Today is fixed for framing of charge.

Accordingly, Ld. Spl. PP read over and explained the contents of the charge to the accused/persons.

During writing of order for framing of charge, it was revealed that at the time of filing of charge-sheet I/O has prayed for discharging accused, namely, Charwa Oraon, Sukra Oraon and Krishna Baraik as the case was not established against them for want of evidence. Accordingly, it was ordered by the court for issuing notice upon the de-facto complainant vide order no. 21, dated 04.01.2019 but he did not appear since long and after lapse of long time, the order was also inadvertently made for appearance of the accused and supply of copy instead of hearing of I/O's discharge prayer.

Since it has come to the notice of the court that the prayer of I/O for discharging accused, namely, Charwa Oraon, Sukra Oraon and Krishna Baraik has not disposed off, it would not be justified to frame charge against the accused/persons leaving the I/O's discharge prayer undisposed.

In view of the aforesaid facts, court is of the opinion that prayer of the I/O shall be disposed of first and then charge be framed against the rest accused/persons.

Accordingly, issue notice upon the de-facto complaint and I/O for hearing over the discharge prayer filed by the I/O.

Fix 18.07.2024 for appearance of complainant and I/O for hearing over the discharge prayer of I/O.

Accused/persons are also directed to remain present on the date fixed.

Comply at once.

D/C by me

Judge, Special Court,
(Under POCSO Act)
2nd Court, Jalpaiguri

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