

In the Court of Additional District Judge, 2<sup>nd</sup> Fast Track Court, Alipurduar

Present : Sri Pukar Pradhan

Addl. District Judge, 2<sup>nd</sup> Fast Track Court, Alipurduar

J.O. Code No. WB 01097

SC 154/2025 (GR 1158/2025)

CNR No. WBJP05-001476-2025

Order No.05

dtd.07.02.2026

Today is the date fixed for appearance and framing of charge.

Sole **accused person namely Budu Santhal** on Court bail is present by filing hazirah. .

Ld. PP Mr. S. Majumdar is also present in person.

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

Upon perusal of the record and case diary including the statement of witness, it is seen that **the injury report** so collected during investigation by the IO being shows that the victim sustained **simple injury** and it is reflected in the charge sheet by the IO. Hence, there are **no ingredients to frame charge u/s 109 BNS, 2023**, that apart from the charge sheet it is also apparent that the Sec.121(1) BNS, 2023 is labeled against the accused which is again Magistrate triable offence. Thus, there is no such materials or allegation of the prosecution to frame the charge which is triable by Sessions Court and other sections as per C.S are Triable by Magistrate.

Hence by invoking **Section 251 of BNSS, 2023**.

**Let the present case record be transmitted back to the committal Court i.e. the Court Ld. ACJM, Alipurduar for its trial and disposal.**

Accordingly, Ld. Advocate for the accused and the prosecution are directed to produce the accused before the **Ld. Court of ACJM, Alipurduar on 10.03.2026**.

Ld. Public Prosecution is further requested to transmit the case diary to the Court below.

**DA to entry register and comply.**

Dictated & corrected by me ;

Sd/-

Addl. Sessions Judge,  
Fast Track 2<sup>nd</sup> Court, Apd.

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Addl. Sessions Judge,  
Fast Track 2<sup>nd</sup> Court, Apd.

**(WB-01097)**

Office of the Addl. District & Session Judge,  
FTC-II, Alipurduar

Memo No: /FTC-II

Dated: 07.02.2026

The copy of this order along with the entire case record be sent to the Court of Ld. ACJM, Alipurduar for information.

Addl. Sessions Judge,  
Fast Track 2<sup>nd</sup> Court, Apd.

