

S.T. No. ----- / 2025
Sessions Serial No. 304/2022

Order No. 01, dated 02.07.2025

Both the accused persons, namely, 1. Subal Das and 2. Sadai Das on Bail are present.

The record is taken up for consideration of charge.

Ld. PP in charge is present with the case diary. Ld. PP opens the case of the prosecution by describing the charge against the accused persons.

Heard the Ld. Advocate for the accused persons.

Perused the CS and the documents forwarded therewith and also the CD.

Considering the facts and circumstances and the materials available on record, the prima-facie appears that the accused persons being the husband and relatives of the husband of Mallika Das (Victim) subjected to her physical and mental cruelty in connection with their demand of dowry since the marriage of the victim with Sadai Das on 15.04.2016 and on 07.06.2016 the said Mallika Das died in her matrimonial house under the suspicious circumstances and she was subjected to cruelty soon before her death. It is also found that the accused persons, in furtherance of their common intention, abetted the commission of suicide of Mallika Das as a result of which, she committed suicide by hanging.

In view of the facts and circumstances and the materials available on record, prima facie the case **u/s 498A, 304B /306 IPC read with section 34 IPC** is made out against the accused persons.

The charges against the accused persons are framed accordingly which is read over and explained to them in Bengali. The accused persons plead not guilty to the charge and claim to be tried.

To 01.12.2025 for examination of CSW1.

Prosecution to take steps for summoning the witness accordingly.

CD be returned.

Dictated & corrected by me

Addl. Sessn. Judge, 3rd Court

Additional Sessions Judge, 3rd Court,
Berhampore, Murshidabad
(J.O. Code : WB00706)

CHARGE WITH THREE HEADS

[No. XXVIII (II), SCHEDULE V, ACT V, 1898]

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

I, Sri Sanjeev Kumar Sharma, Additional Sessions Judge, 3rd Court, Murshidabad hereby charge you as follows : -

1. Sadai Das and Subal Das

Firstly, that you being the husband and relatives of the husband of Mallika Das, subjected her to mental and physical cruelty in order to press her to bring more dowry since her marriage with Sadai Das on 15.04.2016 and thereby committed an offence punishable under Section **498A of the IPC** within the cognizance of this Court.

Secondly, you being the husband and relatives of the husband of Mallika Das, on 07.06.2016 at about 5 pm at village Sankoa Daspara under PS Nawda committed dowry death by causing death of Mallika Das and you thereby committed an offence punishable under Section **304B of the IPC** within the cognizance of this Court.

Alternatively, that you on 07.06.2016 at about 5pm, in furtherance of your common intention, abetted commission of suicide of Mallika Das at your house as a result of which she committed suicide by hanging and thereby committed an offence punishable under **Section 306 IPC read with section 34 of the IPC** within the cognizance of the Court of Sessions.

I do hereby direct that you be tried on the same charge by this Court.

The contents of the charge **498A/ 304B and 306 IPC read with section 34 IPC** is read over and explained to the accused persons in Bengali language to which each of the accused persons pleads not guilty and claims to be tried by saying 'ami nirdosh'.

Dated 02nd day of July, 2025

D/C by me

Additional Sessions Judge,
3rd Court, Berhampore.

Additional Sessions Judge,
3rd Court, Berhampore.

