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| <b>CIS No.94/2022</b>   |
| <b>S.C. NO.94/2022</b>  |
| <b>G.R. No.624/2022</b> |
| <b>J.Code WB00728</b>   |

**Order No.01**  
**dt. 23.11.2022**

Today is fixed for consideration of charge. Both the accused persons namely **Samir Kr. Halder & Laltu Ghosh** are present by filing hazira. Both the Ld. Lawyers are present. Copies of supplementary charge sheet along with sanction letter have been served on both the accused persons.

Now the record is taken up for consideration of charge against the accused persons.

Ld. P.P.-in-charge opens the prosecution case by describing the charge against the accused persons stating by what evidence he proposes to prove the guilt of the accused persons. He proposes to frame the charge **u/s 302/120B/34 IPC** against both the accused persons and the charge **u/s 25(1A)/27(2) of the Arms Act, 1959** against accused Samir Kr. Halder.

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

Perused the materials on record, documents submitted therewith and the materials on C.D.

Now considering the facts and circumstances of this case as well as considering the materials on record and documents submitted therewith it prima-facie appears to me that there is sufficient ground for presuming that both the accused persons have committed offence punishable **u/s 302/120B/34 IPC** and accused Samir Kr. Halder has committed offence punishable **u/s 25(1A)/27(2) of the Arms Act, 1959** in addition.

So, the charges **u/s 302/120B/34 IPC** are framed against **both the accused persons** and **u/s 25(1A)/27(2) of the Arms Act, 1959** has been framed in addition against accused **Samir Kr. Halder**. The contents of the charge so framed are read over and explained to the accused persons in Bengali to which each of them pleads not guilty and claims to be tried by saying “Ami Nirdosh”.

Ld. P.P.-in-charge prays for issuing summons upon witnesses. Accordingly the following schedule is made for the examination of witnesses.

**To 30.01.2023 for production and evidence of CSW1.**

**31.01.2023 for production and evidence of CSW2.**

Ld. P.P.-in-charge is directed to put in requisites of witness summons.

Issue summons accordingly.

Return C.D.

Dictated and corrected by me

Addl. Sessions Judge  
Nabadwip, Nadia.

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Later :

23.11.2022

Accused Laltu Ghosh files one petition praying for bail.

Perused the petition, record, heard both sides and considered.

Considering the nature and gravity of the offence for which charge has been framed only today after successful establishment of the prima facie case, I am not inclined to allow the prayer.

Accordingly, bail prayer of accused Laltu Ghosh is rejected.

To date for production and evidence.

Dictated and corrected by me

Addl. Sessions Judge  
Nabadwip, Nadia.

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Nabadwip, Nadia.