

ST No.03(12)2025
SC No. 52/2025

CHARGE WITH NINE HEADS

[No. XXVIII(II) Schedule V, Act V, 1898]
(Section 221, 222, 223 Code of Criminal Procedure)

1. Name and office of :- I, Smt. Barnali Das Gupta, Addl Sessions
Magistrate & Court Judge, 4th Court, Barasat, North 24-Parganas

2. Name of accused person hereby charge you as follows :	1. Entajul Mondal Son of Mojammeal Mondal 2. Sahanur Gazi @ Samur Gazi @ Sainur Gazi Son of Saidul Gazi 3. Anjamul Mondal @ Injamamul Islam Son of Amirul Mondal 4. Rakibul Mondal @ Rakibul Islam Son of Khalil Mondal 5. Jahangir Mondal @ Md. Jahangir Islam Son of Rashid Mondal @ Md. Abdul Rashid 6. Sakirul Mondal @ Sakirul Islam Son of Khalil Mondal 7. Hasanur Gazi @ Hasa Son of Saidul Gazi 8. Rintu Morol @ Mondal @ Batul Son of Late Ajij Mondal
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First, that you on 28.08.2024 at about 06.00 a.m. at the house of the Taslima Bibi, wife of Nasiruddin Mondal of Khurigachi, under P.S. - Amdanga, District – North 24 Parganas, in furtherance of your common intention, you committed house trespassed by entering into the house of said Taslima Bibi after breaking the door with axe and thereafter entered into her room and that you thereby committed an offence punishable under section 329(4)/3(5) of BNS and within the cognizance of this court.

Secondly, that you on 28.08.2024 at about 06.00 a.m. at the house of the Taslima Bibi, wife of Nasiruddin Mondal of Khurigachi, under P.S. - Amdanga, District – North 24 Parganas, in furtherance of your common intention, you committed house trespassed by entering into the house of said Taslima Bibi after breaking the door with axe and thereafter entered into her room and voluntarily caused hurt to her husband Nasiruddin Mondal and her brother-in-law Surabuddin Mondal by assaulting them and that you thereby committed an offence punishable under section 115(2)/3(5) of BNS and within the cognizance of this court.

Thirdly, that you on 28.08.2024 at about 06.00 a.m. at the house of the Taslima Bibi, wife of Nasiruddin Mondal of Khurigachi, under P.S. - Amdanga, District – North 24 Parganas, in furtherance of your common intention, you committed house trespassed by entering into the house of said Taslima Bibi after breaking the door with axe and thereafter entered into her room and voluntarily caused grievous hurt to her husband Nasiruddin Mondal and her brother-in-law Surabuddin Mondal by assaulting them with Shovel, “Hambar” and wooden stick on their ribs, head and back and that you thereby committed an offence punishable under section 117(2)/3(5) of BNS and within the cognizance of this court

Fourthly, that you on 28.08.2024 at about 06.00 a.m. at the house of the Taslima Bibi, wife of Nasiruddin Mondal of Khurigachi, under P.S. - Amdanga, District – North 24 Parganas, in furtherance of your common intention, you committed house trespassed by entering into the house of said Taslima Bibi after breaking the door with axe and thereafter

entered into her room, voluntarily caused grievous hurt to her husband Nasiruddin Mondal by firing him with gun on his chest and he sustained severe bleeding injury and became senseless, and that you thereby committed an offence punishable under section 118(2)/3(5) of BNS and within the cognizance of this court

Fifthly, that you on 28.08.2024 at about 06.00 a.m. at the house of the Taslima Bibi, wife of Nasiruddin Mondal of Khurigachi, under P.S. - Amdanga, District – North 24 Parganas, in furtherance of your common intention, you committed house trespassed by entering into the house of said Taslima Bibi after breaking the door with axe and thereafter entered into her room and voluntarily caused grievous hurt to her husband Nasiruddin Mondal by firing him with gun on his chest and he sustained severe bleeding injury and became senseless and also assaulted her brother in law Surabuddin Mondal who tried to rescue his elder brother with Shovel, “Hambar” and wooden stick on his persons including head and they were treated in NRS Hospital, Kolkata and Barasat Medical College and Hospital respectively in critical condition and you did such act with such intention and under such circumstances if by that act you had caused the death of said Nasiruddin Mondal and Surabuddin Mondal, you would have been guilty of murder and that you thereby committed an offence punishable under section 109/3(5) of BNS and within the cognizance of this court

Sixthly, that you on 28.08.2024 at about 06.00 a.m. at the house of the Taslima Bibi, wife of Nasiruddin Mondal of Khurigachi, under P.S. - Amdanga, District – North 24 Parganas, in furtherance of your common intention committed mischief by breaking the house of said Taslima Bibi which caused a huge monetary loss and that you thereby committed an offence punishable under section 324(4)/3(5) of BNS and within the cognizance of this court

Seventhly, that you on 28.08.2024 at about 06.00 a.m. at the house of the Taslima Bibi, wife of Nasiruddin Mondal of Khurigachi, under P.S. - Amdanga, District – North 24 Parganas, in furtherance of your common intention committed criminal intimidation by threatening said Taslima Bibi and her husband Nasiruddin Mondal and brother-in-law Surabuddin Mondal with injury to their persons with intent to cause alarm to them and that you thereby committed an offence punishable under section 351(2)/3(5) of BNS and within the cognizance of this court

Eighthly, that you on 28.08.2024 at about 06.00 a.m. at the house of the Taslima Bibi, wife of Nasiruddin Mondal of Khurigachi, under P.S. - Amdanga, District – North 24 Parganas, in joint occupation carried prohibited arms i.e. the gun and ammunition without having any legal authority and that you thereby committed an offence punishable under section 25(1A)/35 of Arms Act and within the cognizance of this court

Ninethly, that you on 28.08.2024 at about 06.00 a.m. at the house of the Taslima Bibi, wife of Nasiruddin Mondal of Khurigachi, under P.S. - Amdanga, District – North 24 Parganas, in joint occupation carried prohibited arms i.e. the gun and ammunition without having any legal authority and used the same upon Nasiruddin Mondal and that you thereby committed an offence punishable under section 27/35 of Arms Act and within the cognizance of this court

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

The charge so framed has been read over and explained to the above named accused persons and they all pleaded not guilty by saying “Nirdoshi” and claimed to be tried.

Dated this 17th day of November, 2025

Additional Sessions Judge
4th Court, Barasat,
North 24-Parganas.

In the Court of Additional Sessions Judge, 4th Court, Barasat, North 24 Parganas.

Present: Smt. Barnali Das Gupta
JO Code: WB00878

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Order No.1 dated 17.12.2025

Today is the date fixed for appearance, filing order of learned Sessions Judge, North 24 Pgs., Barasat, production and charge hearing.

Accused 1. Entajul Mondal, 2. Sahanur Gazi @ Samur Gazi @ Sainur Gazi, 3. Anjamul Mondal @ Injamamul Islam, 4. Rakibul Mondal @ Rakibul Islam, 5. Jahangir Mondal @ Jahangir Islam and 6. Sakirul Mondal @ Sakirul Islam on bail are present by filing hazira.

Accused Hasanur Gazi @ Hasa and Rintu Morol @ Mondal @ Batul are produced from J.C. and they are further remanded to J.C. till 21.01.2026.

A petition has been filed on behalf of accused persons who are on bail stating that a petition under section 356 BNSS was filed on earlier occasion and same was kept by this court for disposal of CMC 4069 of 2025. The next date for hearing of CMC 4069 of 2025 is fixed on 23.12.2025. They prayed to adjourn the case till disposal of CMC 4069 of 2025.

A downloaded copy regarding Sl. No. 1, diary number 72256 of 2025, case number SLP (Criminal) No. of petitioner Anisur Rahaman against State of West Bengal which is pending before Hon'ble Supreme Court of India has been filed by the side of defence.

Let it be kept with the record.

Petition filed today on behalf of the present accused persons praying for and adjournment mentioning CMC 4069 of 2025 which is fixed for further hearing on 23.12.2025 is taken up for hearing.

Heard learned P.P.-in-charge and the learned defence counsel.

Perused the case record.

It appears that in this case charge sheet has been submitted against 13 accused persons and out of them 8 accused persons were committed and this case record transferred by learned Sessions Judge, North 24 Pgs., Barasat to this court in respect of 8 accused persons. Amongst these 8 accused persons 2 are in custody. As per submission of learned defence counsels it is clear that rest 5 charge-sheeted accused persons have clear knowledge about this case and they moved before learned District Judge Barasat for anticipatory bail and before Hon'ble Supreme Court of India against the order of rejection of bail of Hon'ble High Court, Calcutta respectively.

In this juncture, this court finds no ground to adjourn the charge hearing today where two accused persons are in custody.

Hence, prayer for adjournment is rejected.

The case record is taken up for charge hearing.

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Contd... Order No.1 dated 17.12.2025

Perused the FIR, charge sheet, case diary and other materials on record.

Heard learned PP-in-charge as well as learned defence counsels.

Prosecution has brought allegations under sections 329(4)/115(2)/117(2)/118(4)/109/324(4)/351(2)/3(5) of BNS and Section 25(1A)/27/35 Arms Act against the accused persons.

Upon consideration and hearing of the prosecution and the defence counsels, this court finds that there is sufficient ground for proceeding. The allegations under sections 329(4)/115(2)/117(2)/118(4)/109/324(4)/351(2)/3(5) of BNS and Section 25(1A)/27/35 Arms Act are *prima facie* established against the present accused persons.

The substance of accusations have been read over and explained to the present accused persons and they pleaded not guilty and claimed to be tried.

According a formal charge is prepared in separate sheets and same are kept on record.

A petition has been filed by the learned defence counsels under Section 254(3)BNSS praying to cross-examine the witnesses, namely, 1. C.S.W. 1 - Tashlima Bibi, 2. C.S.W. 2 - Swrabuddin Mondal, 3. C.S.W. 7 – Nasiruddin Mondal, 4. C.S.W. 8 – Tahajuddin Mondal, 5. C.S.W. 9 – Eliash Munshi, 6. C.S.W. 14 – Kamaluddin Mondal and 7. C.S.W. 2 – Alamgir Hossain, 8. C.S.W. 4 – Abbasuddin Mondal, as per supplementary charge-sheet dated 07.01.2025 and 9. C.S.W. 3 – Din Mohammad Mondal, 10. C.S.W. 5 – Jahangir Mondal of supplementary charge-sheet (2nd) dated 10.05.2025 as they are close relatives and residing in the same place, otherwise the defence will be disclosed.

Copy served upon learned P.P.-in-charge.

Heard.

Considering all petition under Section 254(3) BNSS filed by the learned defence counsels is allowed for the just decision of this case.

Fix 21.01.2026 and 22.01.2026 for evidence.

Issue summons accordingly.

Prosecution is directed to ensure presence of witnesses on days of trial and to ensure production of seized articles accordingly.

Dict. & corrected by me,

ASJ, 4th Court

Additional Sessions Judge, 4th Court
Barasat, 24-Parganas(N)
17.12.2025