

CHARGE WITH THREE HEADS

(No. XXVII(I), Schedule V, Act V, 1898)

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

S.T.03(02)2022
S.C.189 of 2019
G.R.3280 of 2018
CIS 189 of 2019
Mandir Bazar P.S. Case No406 of 2018

(1)Name and office of I, Sri Arindam Chattopadhyay, Addl. Sessions Judge,
2nd Fast Track Court, Diamond Harbour

(2)Name of accused person hereby charge you 1.Mahadeb Halder, 2. Biswanath Halder @
More, 3. Swapan Naskar, 4. Dhananjoy Naskar, 5. Ashok Halder, 6. Kantaram Halder, 7. Netai
Das, 8. Raj Kumar Halder & 9. Dibakar Karmakar

as follows-

Firstly- That all of you on or about the 19th day of November, 2018 at about 20-40 hours near the house of the complainant Bidhan Chandra Naskar at vill. Khorda Mahadebpur, P.S. Mandir Bazar, Dist. - South 24 Pgs. in pursuance of criminal conspiracy to commit the said offence did commit murder by intentionally (or knowingly) causing the death of Sundar Mohan Naskar by firing bullet and that you thereby committed an offence punishable under section **302/120B** of the Indian Penal Code and within the cognizance of this Court.

Secondly - That all of you along with other at same time and same place were found in possession of one country made improvised single shoter gun with wooden butt and that you thereby committed an offence punishable under section **25** of the Arms Act and within the cognizance of this Court.

Thirdly - That all of you along with other at same time and same place fired from the said gun and that you thereby committed an offence punishable under section **27** of the Arms Act and within the cognizance of this Court.

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

The contents of charges are read over and explained to the accused in Bengali to which he pleaded not guilty and claims to be tried.

Dated Diamond Harbour the 19th day of February, 2022

Addl. Sessions Judge,
2nd Fast Track Court, Diamond Harbour

Present: Sri Arindam Chattopadhyay

J. O. Code : WB 0859

S.T.03(02)2022
S.C.189 of 2019
G.R.3280 of 2018
CIS 189 of 2019

Order No.1
Dt.19.02.22

All the ten accused persons namely 1.Mahadeb Halder, 2. Biswanath Halder @ More, 3. Swapan Naskar, 4. Dhananjoy Naskar, 5. Ashok Halder, 6. Kantaram Halder, 7. Netai Das, 8. Raj Kumar Halder & 9. Dibakar Karmakar on Court Bail are present by filing hazira.

Ld. P.P. In charge is also present.

To day is fixed for consideration of charge.

Record is taken up for consideration of charge.

Heard the submissions of Ld. P.P. in charge as well as Ld. Lawyer of the accused persons.

Ld. P.P. in charge opens the case of the prosecution by describing the charge against the accused persons and the evidence proposed to be adduced by prosecution. Ld. Defense Counsel submitted that the materials on record do not support framing of charge against any of the accused persons and therefore the accused persons may be discharged.

Perused the materials on record as well as the case docket. Considered. I am of the opinion that there is sufficient materials against the accused persons for presuming that all of them have committed an offence which is punishable u/s.302 read with section 102B I.P.C. ad also u/s.25/27 of Arms Act. Accordingly formal charge is framed for the commission of offence punishable u/s.302 read with section 102B I.P.C. ad also u/s.25/27 of Arms Act. against all the accused persons in separate sheet and the contents of the charge was read over and explained to them in the Bengali Language to which they pleaded not guilty by saying "Amra Nirdosh" and claimed to be tried.

Fix 26.04.2022 for evidence of C.S.W. Nos.1 & 2 and appearance of all the accused persons. Issue summons accordingly. Produce the alamat, if any. Inform all concerned.

Dictated & corrected by me

Addl. Sessions Judge
F.T.C. II, D/ Harbour

Additional sessions Judge
F.T.C. II, Diamond Harbour