

IN THE COURT OF THE Ld ADDITIONAL DISTRICT AND SESSIONS JUDGE  
FAST TRACK 3RD COURT , DIAMOND HARBOUR, SOUTH 24 PGS

PRESENT----- CHANDRAPROVA CHAKRABORTY

**ST 11 (8) 22**

Sc 170/2022

GR 389/2022

Mathurapur PS case no. 34/2022

No.1

dt 29.08.2022

The accused **(1) Ajgar Laskar (2) Rabiul Sarder @ Babulal (3) Ajahar @ Ajaharuddin Laskar @ Raja** are produced from J.C.

Ld. PP in charge is present along with CD.

Fresh vakalatnama is filed for accused Rabiul Sardar along with one bail petition and one time petition.

Today is fixed for hearing of charge.

Ld. Advocate Sri Dibakar Pakhira is representing other two accused persons, for SDLSA.

Time petition is taken up for hearing.

Heard both sides.

Considering materials on record, prayer for time is rejected.

Bail petition filed for accused Rabiul Sardar is not pressed. Hence, it is rejected.

Heard Ld. PP in charge and advocate for the accused regarding framing of charge.

It is submitted by the public prosecutor that a strong prima facie case under section **302/201/34** of IPC has been made out against the accused. It is further submitted that materials during investigation of the case clearly suggest that the accused committed the offence punishable under **section 302/201/34 of IPC**.

Ld advocate for the accused concedes to the submission made by the Ld public prosecutor.

The public prosecutor opens the case and describes the charge. He also describes the evidence by which he proposes to prove the guilty of the accused.

I have perused the FIR, charge sheet, statement of the witnesses under section 161 CrPC and other materials available in the case diary. Having considered the submission made by the Ld public prosecutor in charge and ld advocate for the accused and having gone through the documents as indicated above, I am of the opinion that there is prima facie ground for presuming that the accused has committed offence which is exclusively triable by the court of sessions.

Hence, charge under section **section 302/201/34 of IPC** is framed against the accused persons. The charge so framed against the accused is read over and explained to them, to which they plead not guilty by saying 'Ami nirdosh' and claim to be tried.

Let the accused be tried to the said charge.

Issue summon to CSW 17, 30.

To 20.09.2022 for evidence.