

Sessions case No. 299 of 2019

Sessions trial No. 01 of 2021

Present : Shri Ajay Kumar Gupta, Sessions Judge, Uttar Dinajpur at Raiganj

Order No. 01 dated: 14.01.2021

Accused persons namely 1. Gojo Debsharma, 2. Badal Debsharma and 3. Biva Debsharma on court bail are present by filing hazia.

Today is fixed for consideration of charge and appearance of the accused persons.

Ld. P.P is present.

Heard the learned Public Prosecutor and the learned Advocate for the accused persons.

Learned Public Prosecutor submits that a strong prima facie case u/s. 498A/304B/34 of the Indian Penal Code (“I.P.C for short”) has been made out against the accused persons. Learned Panel Public Prosecutor further submits that materials collected during investigation of the case clearly suggest that accused persons committed the offence punishable u/s. 498A/304B/34 of the IPC. He further describes the charge and the evidence by which he proposes to prove the guilt of the accused persons.

Learned Advocate for the accused leaves the matter to the discretion of the court.

I have perused the FIR, Charge sheet, Seizure list, Statement of witnesses recorded U/s. 161 CrPC. and all other available materials.

Having considered the submission made by the learned Public Prosecutor and the learned defence Advocate and having gone through the documents and papers as indicated above, I am of the opinion that there is ground for presuming that the accused persons committed offences alleged which are exclusively triable by a Court of Sessions as there are sufficient material for framing charge u/s 498A/304B/34 of the IPC against the accused persons.

Hence, Charge 498A/304B/34 of the IPC are framed against the accused persons.

The charges so framed are read over and explained to the accused to which they pleads not guilty to the Charge and claims to be tried.

Fix 23.02.2021 for appearance and SDT.

Dictated & Corrected by me,

Sessions Judge,
Uttar Dinajpur at Raiganj

Sessions Judge,
Uttar Dinajpur at Raiganj