

Općinski sud u Osijeku
PRIMLJENO
dne 10. 08. 2026.

This translation consists of
pages 4, papers 5
Nr. Cert.: 14/26
Date: 10 August 2026

**Certified Court Interpreter Translation
from Croatian into English Language**

RULING


Stanislava Kuharski

Coat of arms of the Republic of Croatia

The Republic of Croatia
Municipal court in Osijek
Europska Avenija 7
31000 Osijek

Case Number: Kov-242/2026.-2.

THE REPUBLIC OF CROATIA

RULING

The Municipal Court in Osijek, by the single judge Dunja Petrović, with the participation of Ivona Balić as Court Registrar, in the criminal proceedings against the accused Birendra Chaudhary for the criminal offense under Article 278, Paragraphs 1 and 3 of the Criminal Code ("Narodne novine" [Official Gazette of the Republic of Croatia] Nr. 125/2011, 144/2012, 56/2015, 61/2015, 101/2017, 118/2018, 126/2019, 84/2021, 114/2022, 114/2023, and 36/2024 – hereinafter referred to as: CC/11), ruling upon the Indictment of the Municipal State Attorney's Office in Osijek (hereinafter: ODO) dated 10 September 2025, Ref. Nr. KO-DO-591/2025-1, on 28 July 2026,

h a s r u l e d

the following

Pursuant to Article 354, Paragraph 1 of the Criminal Procedure Act ("Narodne novine" [Official Gazette of the Republic of Croatia] Nr. 152/08, 76/09, 80/11, 91/12 – Decision of the Constitutional Court, 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 80/22, 36/24, 72/25, and 13/26 – hereinafter referred to as: CPA), the indictment of the Municipal State Attorney's Office in Osijek, dated 10 September 2025, case number KO-DO-591/2025-1, against the accused Birendra Chaudhary, for the criminal offense of forgery – forgery of a document under Article 278, Paragraphs 1 and 3 of the CC/11, is hereby CONFIRMED.

Statement of Reasons

1. The Municipal State Attorney's Office in Osijek (hereinafter referred to as: ODO in Osijek) filed an indictment before this Court against the accused Birendra Chaudhary for the criminal offense of forgery – forgery of a document under Article 278, Paragraphs 1 and 3 of the CC/11.
2. Within the meaning of Article 19b, Paragraph 6 of the CPA, in this specific case, during the phase of examining the indictment, a single judge shall exercise the powers of the indictment panel and the president of the indictment panel.
3. Examining the indictment *ex officio*, the Court found that the indictment is well-founded.
4. Reviewing the assertions and proposals of the Deputy Municipal State Attorney set forth in the indictment, as well as the data and evidence attached to the indictment, and the statements of the accused presented in the objection against the criminal order, the Court concluded that there is a degree of probability which constitutes a well-founded suspicion that the accused committed the criminal offense he has been charged with, precisely in the manner described in the indictment.
- 4.1. Such a conclusion arises from the evidence attached to the indictment, and particularly from the copy of the driver's license, the certificate on the temporary seizure of object with serial number 01592453 issued by the Beli Manastir Police Station dated on 20 June 2025, the record about temporary

seizure of objects without a warrant dated on 20 June 2025, the official letter from the Forensic Science Centre, Research and Expert Evaluation "Ivan Vučetić" dated on 7 July 2025, together with the forensic expert evaluation report containing the findings and opinion NK-235-01/25-02/3056 dated on 7 July 2025, Form 16a – registration/deregistration of accommodation, temporary residence, permanent residence, and notification of change of residential address – temporary residence for Birendra Chaudhary, with registration date 18 June 2025, the form and instructions on filling out and the method of utilizing the certificate of the personal

identification number [OIB] for Birendra Chaudhary dated 18 June 2025, a copy of the visa, a copy of the travel document, the employment contract for a fixed term concluded between Rabo d.o.o. Kneževi Vinogradi and Birendra Chaudhary dated on 16 December 2024, a copy of the official letter from the Nepal Police bearing the stamp of the Embassy of the Republic of Croatia, the declaration for the company Rabo d.o.o. for the issuance of a stay and work permit in the Republic of Croatia for Birendra Chaudhary, the decision of the Beli Manastir Police Station on the issuance of a stay and work permit based on the opinion of the Croatian Employment Service for Birendra Chaudhary for the position of an agricultural machinery driver for a duration from 6 February 2025 to 31 January 2026, as well as the lease agreement dated on 10 February 2025, and the official letter from the Beli Manastir Police Station dated on 12 August 2025.

4.2. From the attached evidence, a high degree of well-founded suspicion arises that the accused committed the criminal offense with which he is charged under the indictment.

5. Furthermore, the indictment was properly drafted in accordance with Article 342, Paragraph 1, Items 1 to 5 of the CPA.
6. Following the foregoing, pursuant to Article 354, Paragraph 1 of the CPA, it was decided as set forth in the operative part of this ruling.

Osijek, 28 July 2026

Judge:
Dunja Petrović

DUNJA PETROVIĆ

Electronically signed: 28.07.2026T08:41:41 (UTC:2026-07-28T06:41:41Z)

Verification: <https://epotpis.rdd.hr/provjera>

Record Number: 65c7dd0b-490c-4df6-9bb3-e69ad4d4d7d3

Municipal Court in Osijek



Note:

No appeal shall be permitted against this ruling.

To be delivered to:

1. Municipal State Attorney's Office in Osijek, to case number KO-DO-591/2025
2. Accused Birendra Chaudhary

-3-

Case number: Kov-242/2026-2.

3. Defense Counsel for the Accused, Roko Rešetar, Attorney at Law at the Law Firm Rešetar & partneri d.o.o. Osijek

Record Number: **9-3088b-4adbb**

Control Number: **09882-79bc8-7d4b5**

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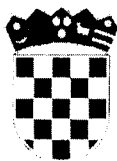
I, Stanislava Kuharski, V. Nazora 14, Osijek, Certified Court Interpreter for English and German, appointed under decision number Nr. 4-Su-619/2022-3 made by the president of the Country Court of Osijek on November the 22nd 2022, do hereby solemnly declare that the above translation is a true and complete translation of the original document written in Croatian, which was submitted to me for translation and in testimony whereof I have hereunto set my hand and affixed my official seals.

DPIO 14/26

Osijek, 10 August 2026

*Stanislava Kuharski, M.A.
Certified Court Interpreter
for English and German*





Republika Hrvatska
Općinski sud u Osijeku
Europska avenija 7
31000 Osijek

Poslovni broj: Kov-242/2026.-2.

REPUBLIKA HRVATSKA

RJEŠENJE

Općinski sud u Osijeku, po sutkinji Dunji Petrović, uz sudjelovanje zapisničarke Ivone Balić, u kaznenom predmetu protiv okrivljenog Birendra Chaudharyja, zbog kaznenog djela iz članka 278. stavka 1. i 3. Kaznenog zakona („Narodne novine“ broj 125/11., 144/12., 56/15., 61/15., 101/17., 118/18., 126/19., 84/21., 114/22., 114/23., i 36/24. - dalje u tekstu: KZ/11.), povodom optužnice Općinskog državnog odvjetništva u Osijeku, od 10. rujna 2025., poslovni broj KO-DO-591/2025-1, 28. srpnja 2026.,

riješio je

Na temelju članka 354. stavka 1. Zakona o kaznenom postupku („Narodne novine“ broj 152/08., 76/09., 80/11., 91/12. - odluka Ustavnog suda, 143/12., 56/13., 145/13., 152/14., 70/17., 126/19., 80/22., 36/24., 72/25. i 13/26. - dalje u tekstu ZKP) potvrđuje se optužnica Općinskog državnog odvjetništva u Osijeku, od 10. rujna 2025., poslovni broj KO-DO-591/2025-1, protiv okrivljenog Birendra Chaudharyja, zbog kaznenog djela krivotvorenja – krivotvorenja isprave iz članka 278. stavka 1. i 3. KZ/11.

Obrazloženje

1. Općinsko državno odvjetništvo u Osijeku (dalje u tekstu: ODO u Osijeku) pred ovim sudom podiglo je optužnicu protiv okrivljenog Birendra Chaudharyja, zbog kaznenog djela krivotvorenja – krivotvorenja isprave iz članka 278. stavka 1. i 3. KZ/11.

2. U smislu članka 19. b. stavka 6. ZKP u konkretnom slučaju, u fazi ispitivanja optužnice, sudac pojedinac ima ovlasti optužnog vijeća i predsjednika optužnog vijeća.

3. Ispitujući optužnicu po službenoj dužnosti, sud je utvrdio da je optužnica osnovana.

4. Razmatrajući navode i prijedloge zamjenika općinskog državnog odvjetnika navedene u optužnici, te podatke i dokaze koji priliježu uz optužnicu, kao i navode okrivljenika iznesene u prigovoru protiv kaznenog naloga, sud je zaključilo da postoji takav stupanj vjerojatnosti koji čini osnovanu sumnju da je okrivljenik počinio kazneno djelo za koje se tereti i to upravo na način opisan u optužnici.

4.1. Takav zaključak proizlazi iz dokaza koji su priloženi uz optužnicu, a osobito iz preslike vozačke dozvole, potvrde o privremenom oduzimanju predmeta serijskog broja 01592453 PP Beli Manastir od 20. lipnja 2025., zapisnika o privremenom

oduzimanju predmeta bez naloga od 20. lipnja 2025., dopisa Centra za forenzična ispitivanja, istraživanja i vještačenja „Ivan Vučetić“ od 7. srpnja 2025. sa zapisnikom o vještačenju s nalazom i mišljenjem NK-235-01/25-02/3056 od 7. srpnja 2025. obrasca 16a from 16a – prijava/odjava smještaja, boravišta, prebivališta i prijava promjene adrese stanovanja – boravišta Birendra Chaudhary, datum prijave 18. lipnja 2025., obrazca i upute o ispunjavanju i načinu korištenja potvrde o osobnom identifikacijskom broju Birendra Chaudhary od 18. lipnja 2025., preslike vize, preslike putne isprave, ugovora o radu na određeno vrijeme između Rabo d.o.o. Kneževi Vinogradi i Birendra Chaudhary od 16. prosinca 2024., preslike dopisa Nepal Police s pečatom Veleposlanstva Republike Hrvatske, izjave za tvrtku Rabo d.o.o. za izdavanje dozvole za boravak i rad u RH za Birendra Chaudhary, PP Beli Manastir rješenja o izdavanju dozvole za boravak i rad temeljem mišljenja Hrvatskog zavoda za zapošljavanje Birendra Chaudhary za radno mjesto vozača poljoprivrednih strojeva u trajanju od 6. veljače 2025. do 31. siječnja 2026., te ugovora o najmu od 10. veljače 2025. i dopisa PP Beli Manastir od 12. kolovoza 2025.

4.2. Iz priloženih dokaza proizlazi visok stupanj osnovane sumnje da je okrivljenik počinio kazneno djelo za koje se tereti optužnicom.

5. Nadalje, optužnica je propisno sastavljena, sukladno članku 342. stavku 1. točki.1.-5. ZKP

6. Slijedom navedenog, na temelju članka 354. stavka 1. ZKP, odlučeno je kao u izreci rješenja.

Osijek, 28. srpnja 2026.

Sutkinja
Dunja Petrović

DUNJA PETROVIĆ



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Općinski sud u Osijeku



Napomena:

Protiv ovog rješenja žalba nije dopuštena.

Dostaviti:

1. ODO u Osijeku, na poslovni broj KO-DO-591/2025
2. okrivljeni Birendra Chaudhary

Broj zapisa: **9-3088b-4adbb**

Kontrolni broj: **09882-79bc8-7d4b5**

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