

**In the Court of Learned Judge, Under POCSO Act
Gangarampur at Buniadpur, Dakshin Dinajpur.**

Spl. Case No. 34/2024

CNR No. WBDD05-000430-2024

Present- Smt. Melissa Gurung

Judge under POCSO Act

Gangarampur at Buniadpur,

Dakshin Dinajpur.

State of West Bengal

vs

Abdul Rashid @ Ashidul Rahaman

Order no. 16 dated 07-12-2024

Sole accused **Abdul Rashid @ Ashidul Rahaman** is produced from the J.C.

The record is taken up for consideration of charge.

The Ld. Spl. P.P.-in-Charge for the State is also present.

Heard. Considered. Perused the record and the documents contained therein.

There appears substantial grounds on the basis of the materials on record to frame charge against the accused **Abdul Rashid @ Ashidul Rahaman** punishable under section **376 of the I.P.C r/w Section 06 of the POCSO Act.**

The charges so framed in a separate proforma is kept with the record.

The contents of the said charges are read over and explained to the accused person to which he plead not guilty by saying '**Ami Nirdoshi**' and claims to be tried.

After the charge is framed, the Ld. Defence Counsel is directed to consult with the accused to understand if there are documents in the record(supplied to them in compliance of provisions of section 207 Cr.P.C.) on which the prosecution will rely upon in the evidence which will be admitted to by the accused/ defence.

Compliance report regarding service of bail application upon the victim through defacto complainant is present.

Defacto complainant ios present.

An application praying for bail filed on 19-11-2024 is taken up for hearing.

The Ld. Spl. P.P-in-charge is present.

Heard all sides. Considered.

Perused the record and the materials contained therein specially the statement of the victim u/s 164 of the CrPC.

Considering the materials in the statement and also the fact that charge is already framed against the accused and the record is ready for trial, I am not inclined to grant bail to the accused.

Hence the application praying for bail is rejected.

After the hearing of bail the accused on consultation with the Ld. Advocate submits that he will not be admitting to any of the documents on which the prosecution seeks to rely on (as supplied to him in compliance of provisions of section 207 Cr.P.C). A declaration to that effect is also filed which is duly signed by the accused and the Ld. Defence Counsel.

On discussion with both the prosecution and the defence it is agreed that only CSW-1 be called on the first date as there is no guarantee that the evidence of CSW-1 will be

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completed in a single day. It is submitted that after the evidence of CSW-1 is completed a schedule of dates may be fixed.

Considering the reasonableness of the submission of the Ld. Counsel only a single date for evidence of CSW-1 is fixed.

Fix 30-01-2025 for production of the accused and evidence of CSW-1.

Prosecution is directed to take steps.

Dictated & Corrected by

**Judge, under POCSO Act
Gangarampur at Budp.
Dist.- Dakshin Dinajpur.**

**(Melissa Gurung)
(WB-00842)
Judge, under POCSO Act
Gangarampur at Budp.
Dist.- Dakshin Dinajpur.**