

In the Court of the Special Judge-cum-Addl. Sessions Judge, Kalna,  
Purba Bardhaman

Pre : Srimayi Kundu (J.O.Code-WB00655), Spl. Judge-cum-Addl. Sessions  
Judge, Kalna

**Ref : Sessions (Special) Case No. 09 of 2024 (POCSO Act, 2012)**

(Arising out of Nadanghat P.S. Case No. 164 of 2024 dated 16.03.2024 u/s-  
8 of Protection of Children from Sexual Offences Act, 2012)

**The State Vs. Accused Sanjoy Biswas S/O. Swapan Bose of  
Su;haspally, Banachiti, P.S. Arabinda, District Paschim Bardhaman.  
Order No. 02 dated 20.03.2024**

Record is put up today. One original seizure list dated 20.03.2024  
and one photocopy of birth certificate of V.G. has been received from the  
Nadanghat P.S. Let the same be kept with record.

The I.O. has prayed for recording the judicial statement of the  
victim girl (aged 15 years) under Section 164 of the Cr.P.C. for the interest  
of investigation.

The petition is moved by the learned Spl. PP in-charge.

Having considered all aspects and mainly in the interest of proper  
investigation the prayer of the IO is hereby allowed and statement of the  
V.G. be recorded by the Ld. Judicial Magistrate, 1<sup>st</sup> Court, Kalna.

Pronab Muni, the father of the victim girl, files a petition  
supported by fresh Vokatnama with a prayer to take his daughter to his  
custody on behalf of the V.G.

Perused the petition. Considered.

The victim girl is present and called on dock and on being  
examined by this Court, she (V.G.) expressed her willingness to go back with  
her father to her own house. Father Pronab Muni also expressed his  
willingness  
that he wants to take his minor girl.

Having considered the willingness of the VG and taking into  
consideration the present age of the VG as well as considering the safe  
custody, the prayer is allowed.

Let the V.G. be handed over to her father's custody namely Pronab  
Muni by executing a P.R. Bond of Rs.500/- along with condition to produce  
the V.G. before the Ld. Court of JM, 1<sup>st</sup> Court, Kalna for recording her  
statement u/s 164 of Cr.P.C.

Accordingly, Ld. J.M., 1<sup>st</sup> Court, Kalna, is requested to take steps

for recording the statement of the victim girl u/s. 164 Cr.P.C. after proper Order No.2/ contd....

verification and identification and to send the recorded statement to this Court as soon as possible.

Let this case record be sent to the Ld. Judicial Magistrate, 1<sup>st</sup> Court, Kalna for information and taking necessary action.

The V.G. of this case be produced before the Ld. J.M., 1<sup>st</sup> Court, Kalna by escorting with a Lady Police Constable for recording her statement under section 164 of the Cr.P.C. accordingly on the date to be fixed by the Ld. J.M., 1<sup>st</sup> Court, Kalna with a request to the Ld. JM, 1<sup>st</sup> Court, Kalna to hand over the V.G. to the father of the V.G. above named after recording the statement of the V.G. u/s. 164 of Cr.P.C. by her at her convenient time.

Ld. Judicial Magistrate, 1<sup>st</sup> Court, Kalna is requested to sent back the record to this Court after properly recording the statement judicially as per provision u/s. 164 of Cr.P.C.

The I.O. has prayed another prayer for supplying the copy of statement of the V.G. under Section 164 of the Cr.P.C. for the interest of his investigation.

Perused the prayer. Considered. Ld. Spl. PP in charge also raises no objection in supplying the copy to the IO. Prayer is allowed.

Accordingly, let the copy of statement of the V.G under Section 164 of the Cr.P.C. recorded by the Ld. JM, 1<sup>st</sup> Court, Kalna, be handed over to the IO.

To date (**21.03.2024**) for hearing of bail petition.

Dict. & corr.)

Sd/-Srimayi Kundu

Special Judge,-cum-ASJ,Kalna

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Spl. Judge-cum-ASJ, Kalna