

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

Pre : Sri Rajesh Chakraborty, Spl. Judge-cum-Addl. Sessions Judge, Kalna

Ref : Sessions (Special) Case No. 32 of 2023 (POCSO Act, 2012)

(Arising out of Kalna P.S. Case No. 954 of 2023 dated 27.08.2023 u/s. 341/376(3)/376D of I.P.C. and Sec. 6 of of the Protection of Children from Sexual Offences Act, 2012)

The State Vs. Accused 1. Paban Mandi @ Sanjit Mandi and 2. Thakur Hansda

Order No. 02 dated 31.08.2023

Record is put up today. IO has made a prayer before this court that he has returned the PC accused persons namely Paban Mandi @ Sanjit Mandi and Thakur Hansda to this court after completion of 3 days Police Custody and also prayed to take these PC accused and detain them till completion of investigation.

Some documents i.e., two seizure lists dt 28.08.2023, four seizure lists dt 29.08.2023 and another one seizure list dt 30.08.2023, one zimmanama dt 29.08.2023 as well as medical emergency tickets which are filed by the IO in connection with this case be kept with record.

Prayer of the IO for taking J/C in respect of accused persons Paban Mandi @ Sanjit Mandi and Thakur Hansda is allowed.

Thus the accused persons Paban Mandi @ Sanjit Mandi and Thakur Hansda be remanded to J/C till date (11.09.2023).

Now, another prayer has been made by the IO of this case for recording the judicial statement of the witness namely Astami Murmu W/O. Rabilal Murmu under Section 164 of the Cr.P.C. for the interest of investigation.

The petition is moved by the learned P.P.

Having considered all aspects and mainly in the interest of proper investigation the prayer of the IO is hereby allowed and statement of witness namely Astami Murmu be recorded by the Ld. Judicial Magistrate, 1st Court, Kalna.

Accordingly, Ld. J.M., 1st Court, Kalna, is requested to take steps for recording the statement of the witness namely Astami Murmu u/s. 164 Cr.P.C. after proper 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, 1st

Order No. 01 dated 06.03.2021 / contd.....

Court, Kalna for information and taking necessary action.

The I.O. is directed to contact with the Ld. J.M., 1st Court, Kalna and to produce the above named witness Astami Murmu before him for recording her statement under section 164 of the Cr.P.C. accordingly on the date to be fixed by the Ld. J.M., 1st Court, Kalna.

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

To **11.09.2023** for production from J/C.

Dict. & corr.)

Sd/-Sudhir Kumar

Special Judge,-cum-ASJ,Kalna

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Spl. Judge-cum-ASJ, Kalna

Later :-

The I.O. has prayed for supplying the copy of statement of the witness 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 witness under Section 164 of the Cr.P.C. recorded by the Ld. JM, 1st Court, Kalna, be handed over to the IO.

One bail petition duly supported by fresh Vokatnama is filed on behalf of two accused persons viz, Sanjit Mandi and Thakur Hansda praying for bail on the ground stated in the petition.

Ld. Advocate for the accused as well as Ld. Defence Counsel are preent. Bail petition be kept with the record.

Call for CD on 11.09.2023.

To date (11.09.2023) for production.

Dict. & corr.)

Sd/-Sudhir Kumar

Special Judge,-cum-ASJ,Kalna

Sd/-Sudhir Kumar

Spl. Judge-cum-ASJ, Kalna