

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

Pre : Sri Sudhir Kumar (UID Code-WB00589), Spl. Judge-cum-Addl.
Sessions Judge, Kalna

Ref : Sessions (Special) Case No. 31 of 2023 (POCSO Act, 2012)

(Arising out of Nadanghat P.S. Case No. 353 of 2023 dated 06.08.2023 u/s-
448/354/506 of I.P.C. and Sec. 8 of the Protection of Children from Sexual
Offences Act, 2012)

**The State Vs. Accused Hasem Ali Sk S/O. Late Fakir
Mahammad Sk of Village Jiolgoria, P.S. Nadanghat, District Purba
Bardhaman.**

Order No. 01 dated 07.08.2023

Received the formal FIR, FIR, seizure list dated 06.08.2023, in
connection with Nadanghat P.S. Case No. 353 of 2023 dated 06.08.2023
u/s- 448/354/506 of I.P.C. and Sec. 8 of the Protection of Children from
Sexual Offences Act, 2012. Same be kept with the case record.

Perused the prayer as above, written complaint and other
documents as produced today. Considered.

Let the case be registered as Sessions (Special) case No.31 of
2023 under POCSO Act, 2012.

The I.O. has made prayer today for recording the judicial
statement of the victim girl (aged about 13 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, 1st Court, Kalna.

Sahidul Sk, 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 Sahidul Sk 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

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custody, the prayer is allowed.

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

Accordingly, Ld. J.M., 1st Court, Kalna, Mrs. Nazmus Sahar is requested to take steps for recording the statement of the victim girl 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 Court, Kalna for information and taking necessary action.

The V.G. of this case be produced before the Ld. J.M., 1st 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., 1st Court, Kalna with a request to the Ld. JM, 1st 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, 1st 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, 1st Court, Kalna, be handed over to the IO.

Fix 06.10.2023 for IO's report.

Dict. & corr.)

Sd/-Sudhir Kumar
Special Judge,-cum-ASJ,Kalna

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Spl. Judge-cum-ASJ, Kalna