

POCSO Case No. 02 of 2024

**Present :- Sri Mukul Kumar Kundu, Additional District & Sessions Judge,
3rd Court, Cooch Behar, In-charge of Judge Spl.(EC Act)-Cum-
Addl. Dist. & Sess. Judge, 2nd Court, Cooch Behar.**

Order No.02, dt. 11.01.2024 :-

Record is put up today as I.O files a petition through Ld P.P in charge praying for recording of statement of the victim girl X (changed name), aged about 15 years U/s-164 of Cr.P.C accompanied by lady constable Pinku Roy being No.481 of Pundibari P.S along with original copy of Form 19 and 20 of CWC.

Seen all the documents.

Victim girl is produced along with her mother before the Court by I.O.

Heard Ld P.P in-charge as well as I.O.

Prayer is considered and allowed.

Ld. Chief Judicial Magistrate, Cooch-Behar is requested to record the statement of the victim girl either by himself or by any other Ld. Judicial Magistrate assigned by him U/s-164 of the Cr.P.C in accordance with law and in compliance with the provision of section 25 and 26 of the POCSO Act, 2012 and return the case record along with the statement recorded U/s 164 of the Cr.P.C in sealed cover after completion of recording and observing all formalities and to release the victim girl with a direction to I.O to hand over the V.G to her mother.

Ld. Chief Judicial Magistrate, Cooch-Behar is further requested to follow the guidelines in connection with CRA No. 517/2017 passed by Hon'ble Justice Bibek Chowdhury on 16.12.2021.

Victim girl along with her mother be produced before that Court accordingly.

Audio-Video Recorder also be produced before the court of Ld. CJM, Cooch Behar for recording the statement of victim girl u/s-164 of Cr.P.C.

I.O is directed to do the needful.

Let the case record be placed before Ld. Chief Judicial Magistrate, Cooch-Behar for compliance.

Let a copy of this order be sent to the I.O for his information and necessary action.

To date (17.01.2024) for production and I.O's report.

Dictated & Corrected,

Judge POCSO Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C

Judge POCSO -Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C
JO Code No.WB 00654

POCSO Case No. 02 of 2024

Later Order No.02, dt. 11.01.2024 :-

Accused Faijar Hossain @ Firoj Islam is brought under arrest and produced before this court by O.C Pundibari P.S, Cooch Behar who is taken into custody and remanded to J/C till 17.01.2024.

A bail petition is filed on behalf of accused Faijar Hossain @ Firoj Islam along with vokalatnama praying for bail on the ground stated therein.

The bail petition is taken up for hearing in presence of both sides.

Heard both sides.

Ld advocate for the accused submits that accused has been falsely implicated in this case and if he is enlarged on bail he will not flee away.

Ld P.P in charge raised strong objection in granting bail to the accused on the ground that C.D is not lying with him today.

Considering the early stage of investigation and without perusing the C.D as well nature of offence I am not inclined to enlarge the accused on bail.

Accordingly, prayer for bail of the accused is rejected.

To date (17.01.2024) for production and I.O's report.

Dictated & Corrected,

Judge POCSO Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C

Judge POCSO -Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C
JO Code No.WB 00654

Later Order No. 02, dtd. 11.01.2024:-

Received the record from the Court of Ld. Chief Judicial Magistrate, Cooch-Behar along with three sealed cover envelopes containing statement of the victim girl recorded U/s 164 of Cr.P.C, MICRO Chip of audio video recording and the certificate with the signature of the V.G and the same be kept with the case record.

I.O files a petition praying for supply of copy u/s-164 Cr.P.C on the ground stated therein.

Heard. Considered.

The prayer is allowed.

Supply the copy of 164 Cr.P.C statement to the I.O.

To date (17.01.2024) for production and I.O's report.

Dictated & Corrected,

Judge POCSO Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C

Judge POCSO -Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C
JO Code No. WB 00654