

**In the court of Judge Special Court (EC Act)- Cum- Additional
District and Sessions Judge, 2nd Court, Sadar, Cooch Behar**

POCSO Case No. 10 of 2022

Present :-

**Sri Shyam Sundar Das,
Judge POCSO Court-Cum-
Addl. Dist. & Sess. Judge,
2nd Court, Cooch Behar**

Order No. 01, dt. 23.03.2022 :-

Received FIR, written complaint, accused challan, forwarding report, arrest cum inspection memo and ticket for emergency patients along with accused Sushil Chandra Barman @ Kamar from I.C Kotwali P.S, Cooch Behar being F.I.R No. 273/2022 dtd. 22.03.2022 u/s- 6 of the POCSO Act and section-376(n)/506 of IPC against the accused Sushil Chandra Barman @ Kamar.

Accused is placed on dock and taken into custody.

Seen all the documents.

Register the same as POCSO case being POCSO Case no. 10/2022 in the relevant case register.

A bail petition is filed on behalf of accused Sushil Chandra Barman @ Kamar along with fresh vokalatnama praying for bail on the ground stated therein.

Heard Ld Counsel over the bail application. Also heard Ld P.P who strongly opposed the bail application contending that the accused alleged to have committed a heinous type of crime being in the position of trust and his prey are number of tender aged girls and therefore at this stage on the face of charge levelled against the accused punishable u/s-6 of the POCSO Act accused should not be enlarged on bail.

Heard both sides.

Perused the case record including the written complaint, forwarding report and also considered the nature of allegation levelled against the accused person and having considered all the facts and circumstances prayer for bail of the accused stands rejected.

Call for C.D.

Accused is remanded to J/C till 31.03.2022.

To 31.03.2022 for production and I.O's report.

Contd.....

POCSO Case No. 10 of 2022

Contd. Order No. 01, dt. 23.03.2022 :-

I.O files another petition praying for holding capability test of the accused person namely Sushil Chandra Barman @ Kamar, aged about 55 years, S/o- late Dinesh Barman of village Nakkati, Pushnadanga, P.S-Kotwali, District-, District-Cooch Behar.

Heard Ld P.P as well as I.O.

Considered.

Prayer of I.O for conducting capability test of the accused person namely, Sushil Chandra Barman @ Kamar is allowed.

Superintendent-Cum-Vice Principal of Government Medical College and Hospital, Cooch Behar is requested to hold capability test of the accused after his production and identification before him according to law and submit report.

Superintendent of Correctional Home, Cooch Behar is requested to produce the accused before the Superintendent-Cum-Vice Principal of Government Medical College & Hospital, Cooch Behar through I.O of this case for capability test.

Let a copy of this order be sent to the Superintendent-Cum-Vice Principal of Government Medical College & Hospital, Cooch Behar, Superintendent of Correctional Home, Cooch Behar and I.O of this case for their information and compliance.

To date (31.03.2022) for production and I.O's report.

Dictated & Corrected,

Sd/-S.S.Das
Judge POCSO Court– cum -
Additional Sessions Judge
2nd Court, Cooch Behar

Sd/-S.S.Das
Judge POCSO Court - cum -
Additional Sessions Judge,
2nd Court, Cooch Behar
JO Code No. :- WB 00634

POCSO Case No. 10 of 2022

Later Order No. 01, dtd. 23/03/2022 :-

I.O files six separate petitions praying for recording statements of six victim girls named (X), aged about 12 years, D/o- Dilip Barman and Sampa Barman, victim girl named (X/1), aged about 11 years, D/o- Dilip Barman and Sampa Barman, victim girl named (X/2), aged about 12 years, D/o- Yudisthir Sarkar and Purnima Sarkar, victim girl named (X/3) aged about 9 years, D/o- Bappi Dey and Lt Munmun Dey, victim girl (X/4) aged about 11 years, D/o- Sushanta Barman and Ranu Barman, victim girl (X/5) aged about 7 years, D/o- Sujit Barman and Puja Barman, all are residents of village Nakkati, P.O-Pushnadanga, Haribhanga, P.S-Kotwali, District-Cooch Behar U/s-164 of Cr.P.C.

Victim girls are produced along with their mothers/granny before Court by I.O.

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

Prayers are considered and allowed.

Ld. Chief Judicial Magistrate, Cooch-Bihar is requested to record the statements of the above mentioned six victim girls, 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 statements recorded U/s 164 of the Cr.P.C in separate sealed cover after completion of recording and after observing all formalities.

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 girls and their mothers/granny be produced before that Court accordingly.

Audio recorders also be produced before the court of Ld. CJM, Cooch Behar for recording the statements of the six victim girls u/s-164 of Cr.P.C.

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

To (31.03.2022) for production and I.O's report.

Dictated & Corrected,

Judge POCSO Court-cum-Addl.
Sessions Judge, 2nd Court,
Cooch-Behar

Judge POCSO Court- cum-Addl.
Sessions Judge, 2nd Court,
Cooch-Behar.
JO Code No. WB 00634