

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

POCSO Case No. 16 of 2023

**in connection with Sadar Women P.S Case No. 72/2023 dtd. 11.06.2023 u/s-448/354B/363/511/109
IPC and section-12/17 of POCSO Act.**

State

.Vs.

Accused Adam Hossain @ Ali

**Present :-Sri Shyam Sundar Das, Judge POCSO Court-cum-
Additional Dist. & Sessions Judge, 2nd Court, Cooch Behar.**

Order No.01, dt. 12.06.2023 :-

Received formal F.I.R, written complaint, forwarding report, arrest cum inspection memo, accused challan and ticket for emergency patients from O.C Sadar, Women P.S, Cooch Behar in connection with Sadar Women P.S Case No. 72 of 2023 dtd. 11.06.2023 U/s-448/354B/363/511/109 of IPC and section-12/17 of POCSO Act against the accused Adam Hossain @ Ali and he is taken into custody.

Seen all the documents.

Registered the same as POCSO Case being POCSO Case No. 16/2023 in the relevant case register. Let the same be kept with the record.

A bail petition is filed on behalf of accused and that is moved by Ld counsel praying for bail which is strongly opposed by Ld P.P.

Heard both sides.

Perused the FIR and considered the allegation levelled against the accused.

At this stage on the face of accusation as well as on the face of early stage of investigation, prayer for bail stands rejected.

Accused is remanded to J/C till 14.06.2023.
To 14.06.2023 for production and I.O's report.
Call for C.D.
Inform accordingly.

Contd.....

POCSO Case No. 16 of 2023

Contd. Order No.01, dt. 12.06.2023 :-

At this stage, I.O files a petition praying for recording of statement of the victim girl (X), aged about 14 years 8 months, D/O- Afidul Miah of Haldimohan, P.O-Chilkirhat, P.S-Kotwali, District-Cooch Behar U/s-164 of Cr.P.C accompanied by Lady Constable Mousami Barman being No.1143.

Victim girl is produced along with her mother before 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-Bihar 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 a sealed cover after completion of recording and after observing all formalities release the victim girl to I.O with a direction upon him/her to hand over the V.G to her mother.

Ld. Chief Judicial Magistrate, Cooch-Bihar 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 and her mother be produced before that Court accordingly.

Audio 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.

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

To date (14.06.2023) for production and I.O's report.

Dictated & Corrected,

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

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

Later dtd. 12.06.2023:-

Received the record from the court of Ld. Chief Judicial Magistrate, Cooch-Bihar along with three sealed cover envelopes containing statement of the victim girl recorded U/s 164 of Cr.P.C, MICRO S.D Card 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 (14.06.2023) for production and I.O's report.

Dictated & Corrected,

Judge POCSO Court-cum-Addl
Sessions Judge, 2nd Court,
Cooch-Bihar

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