

In the court of Judge Special Court (EC Act)- Cum- Additional

District and Sessions Judge, 2nd Court, Sadar, Cooch Behar

POCSO Case No. 21 of 2022

**in connection with Women P.S (S) Case No. 63/2022 dtd. 15.05.2022 u/s-376/506 of IPC
R/W Section-04 of POCSO Act.**

State

Vs

Accused Rafikul Islam @ Miah

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

Order No.01, dtd. 17/05/2022 :-

Received the case record along with accused Rafikul Islam @ Miah by way of transfer from the court of Ld CJM, Cooch Behar along written complaint, formal FIR, arrest cum inspection memo, forwarding report and medical slip in connection with Women P.S(S) Case No. 63/2022 dtd. 15.05.22 U/s-376/506 of IPC read with section-04 of POCSO Act against the accused person namely Rafikul Islam @ Miah and he is taken into custody.

Seen the documents.

Considered.

Register the same as a POCSO Case in Trial Register being POCSO Case no. 21/2022.

A bail application is filed and Ld Advocate for the accused moves the bail application praying for bail on the grounds stated therein which is strongly opposed by Ld P.P on the face of accusation punishable u/s-376/506 IPC read with section-4 of POCSO Act.

Heard both sides. Considered.

At this stage, prayer for bail stands rejected.

To 19.05.2022 for production of the accused.

Accused is remanded to J/C till 19.05.2022.

Call for C.D.

At this stage, I.O files a petition praying for recording of statement of the victim girl (X), aged about 16 + years, D/o – late Aulmin Ali of Chhat Dudherkuthi Dewanbosh, P.S Kotwali, District-Cooch Behar U/s-164 of Cr.P.C.

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.

Contd.....

POCSO Case No. 21 of 2022

Contd. Order No.01, dtd. 17.05.2022 :-

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.

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 (19.05.2022) for production and I.O's report.

Dictated & Corrected,

Judge POCSO Court– cum -
Additional Sessions Judge
2nd Court, Cooch Behar

Judge POCSO Court - cum -
Additional Sessions Judge,
2nd Court, Cooch Behar
JO Code No. W.B 00634