

POCSO Case No.34 of 2024

**Present :- Sri Deepto Ghosh, Judge POCSO Court-cum-
A.D.J. 2nd Court, Cooch Behar.**

Order No. 03, dtd. 06.07.2024 :-

Record is put up before me by petition.

Seen. Heard. Put up is allowed.

Ld. Counsel representing the accused Jamidul Islam files an application for bail along with vokalatnama.

Copy served upon Spl. PP in charge.

For the purpose of hearing of the petition, notice upon the de facto complainant/victim girl is a prerequisite in terms of Rule 4 (13) of the POCSO Rules, 2020.

Accordingly, issue notice upon the defacto complainant/victim girl at the instance of the prosecution through OC, Sadar PS with a copy of the notice.

Fix todate (**11.07.2024**) for production, bail hearing and IO's report.

CD be produced on the date fixed.

Inform OC, Sadar PS, through Email and G.R.O., Cooch Behar for compliance.

Dictd. & Cortd. by me.

Judge, Special Court (E.C.Act)-cum-
Addl. District & Sessions Judge,
2nd Court, Cooch Behar

Judge, Special Court (E.C.Act), -cum-
Addl. District & Sessions Judge,
2nd Court, Cooch Behar

.....Later, Order No. 03, dated 06.07.2024 :-

A prayer is made by the I.O through Ld Special P.P praying for holding capability test of the accused person namely, Jamidul Islam, S/O- Firiz Ali of Kalighat, Ghoramara, PO-Ghugumari, P.S-Kotwali, District-Cooch Behar.

Heard Ld Special P.P.

Seen the prayer of I.O and submission.

Considered.

Considering the submission and the prayer of I.O I think that the prayer as sought for for conducting capability test of the accused Jamidul Islam should be allowed in the interest of investigation. Accordingly prayer of I.O as sought for is allowed in the spirit of the provision u/s 53A of CrPC.

The Superintendent-Cum-Vice Principal of MJN Government Medical College and Hospital, Cooch Behar is directed to take necessary arrangement for holding the capability test of the accused Jamidul Islam before competent doctor, according to law and submit report.

The Superintendent of District Correctional Home, Cooch Behar is directed to take necessary arrangement for production of the accused before the Superintendent-Cum-Vice Principal of MJN Government Medical College & Hospital, Cooch Behar for capability test as prayed for and to assist I.O in this regard.

I.O of this case is hereby directed to do the needful in this regard.

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

Fix todate (**11.07.2024**) for production, bail hearing and IO'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,