

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

POCSO Case No. 29 of 2023

In connection with Sadar Women P.S Case No. 142/2023 dtd. 16.10.2023

U/s-376(2)(1)/506 IPC and Section-6/10 of POCSO Act.

State

.Vs.

Accused Jyotish Barman

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

Order No.01, dt. 17.10.2023 :-

Received formal F.I.R, written complaint, accused challan, forwarding report, arrest cum inspection memo and ticket for emergency patients from O.C Sadar Women P.S, Cooch Behar in connection with Sadar Women P.S Case No. 142 of 2023 dtd. 16.10.2023 U/s-376(2)(1)/506 IPC and Section-6/10 of POCSO Act against the accused Jyotish Barman and he is taken into custody.

Seen all the documents.

Register the same as POCSO Case being POCSO Case No. 29/2023 in the relevant case register. Let the same be kept with the record.

A bail petition is filed along with fresh vokalatnama 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 16.11.2023.

Call for C.D.

To 16.11.2023 for production and I.O's report.

I.O files a petition praying for recording of statement of the victim girl X (changed name), aged about 11 years U/s-164 of Cr.P.C accompanied by lady constable Namita Ishore, being No.1277.

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

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

Prayer is considered and allowed.

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(2)

Ld. Chief Judicial Magistrate, Cooch-Behar is requested to record the statement of the victim girl **with the help of an interpreter or by appointing a special educator**, 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 and to release the victim girl with a direction to I.O to hand over the V.G to her father.

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 father 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.

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

To date (16.11.2023) 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

