

POCSO Case No.29 of 2023

Order No.05, dtd. 22/11/2023 :-

Accused Jyotish Barman is produced from J/C and for the accused bail application is filed praying for bail on the ground of long detention as well as on the ground that investigation is almost complete and therefore no such custody is at all required for the purpose of investigation and as such the accused may be enlarged on bail on any condition.

Ld P.P raised strong objection in granting bail to the accused contending that a physically and mentally challenged girl of tender age who had been residing in hostel has been ravished by the accused who is a cook of the hostel and thereby offence palpably alleged to have been committed by a person on whom the victim girl had full trust and therefore considering the gravity of offence and investigation being pending at this stage probability of tampering with the evidence cannot also be ruled out ultimately Ld P.P pressed for rejection of bail.

Having heard both sides and after going through the C.D including the medical report and 164 statement of the victim girl at this stage prayer for bail of the accused stands rejected.

C.D be returned.

Accused is remanded to J/C till 06.12.2023.

To 06.12.2023 for production and I.O's report.

Call for C.D.

Ld P.P in charge files a petition praying for interim compensation for the victim girl X, aged about 11 years who is stated to be a victim and she is very poor and has been suffering from mental trauma. The mother of the victim girl also expressed their inability to arrange proper food and treatment. The mother of the victim girl in perspective of the petition for interim compensation is examined on dock who during conversation explained their situation and I am told that the family is in financial crunch and they have no capacity to treat the victim girl by doctor.

In this context, it is not out of place to mention that in the statute u/s-33 and rule 7 there has been provision for compensation for victim girl in interim form as well in appropriate case. So far as the facts and circumstances of the case is concerned, to my considered opinion this is a fit case where the victim girl deserves to be compensated in interim form.

Accordingly the petition filed today praying for interim compensation of the victim girl stands allowed.

The victim girl X, aged about 11 years do get interim compensation to the tune of Rs.25,000/- as lump sum for the purpose of the treatment of the victim girl.

The Government of West Bengal is hereby directed to pay the interim compensation to the victim through her mother.

The Secretary DLSA, Cooch Behar for the Government of West Bengal is hereby asked to pay the aforesaid interim compensation at the earliest.

Let a copy of this order be sent to the Secretary DLSA, Cooch Behar along with full address of the parent of V.G for his information and necessary compliance.

To date (06.12.2023).

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