

POCSO Case No. 40 (D) of 2020

POCSO Trial No. 09 (03) 2021.

Order No. 08 :

Dated: 20-03-2021.

Accused Babu Mafia @ Rashidul Haque, Chhototalli Miah & Abeya Bibi on C/B are present with their Ld. Counsel **Sri Atish Ghosh Thakur.**

Ld. Special P.P **Abdul Mabud Sarkar** also present.

Heard the Ld. Special P.P who opens the case against the present accused persons and the Ld. Defence Advocate.

Ld. Special P.P submits that there are sufficient incriminating materials against accused Mafia @ Rashidul Haque u/s. **363/365 of the I.P.C** and section **4 of the POCSO Act** and as such charges may be framed against him for the said offence. There are also sufficient incriminating materials against accused Chhototalli Miah & Abeya Bibi u/s. **363/365/109 of the I.P.C** and as such charge may be framed against them for the said offence.

Heard both sides.

Considering the submission of both the sides and having regard to the materials in the C.D and record, I am of the view that the prosecution has been able to show that sufficient materials have been collected against accused Mafia @ Rashidul Haque involving him in the alleged offence u/s. **363/365 of the I.P.C** and section **4 of the POCSO Act** and u/s. **363/365/109 of the I.P.C** against accused Chhototalli Miah & Abeya Bibi for which the trial can be proceeded against them and the present accused presumably be punished accordingly.

Accordingly, respective charges are framed against the accused Mafia @ Rashidul Haque, Chhototalli Miah & Abeya Bibi and the contents of the respective charges are read over and explained to the respective accused persons to which they individually pleaded not guilty by saying '**Ami Nirdosh**' and claimed to be tried.

Formal charge is kept with the record in separate sheet. Trial will proceed on the following schedule.

To 09-04-2021 for evidence of C.S.W .Nos. 1 & 5.

Issue summons to witness accordingly.

Accused as before.

Prosecution is directed to supply the written up summons for issuing & causing service.

Prosecution is directed to ensure the presence of the I/O of the instant case on each and every date of trial.

Dictated & corrected by me,

Judge,
Spl. Court (POCSO)-cum-
Addl. Dist. & Sess. Judge,
Dinhata.

Judge,
Spl. Court (POCSO)-cum-
Addl. Dist. & Sess. Judge,
Dinhata.