

Present: Sri. Pratayay Pal, Ld. Civil Judge (Jr. Division)-cum-Judicial Magistrate, Dinhata Court, Cooch Behar and I/C of Ld. Principal Magistrate, JJB, CBR

Order No-02
Dt: 09.03.2026

Today the case is fixed for appearance of the CCL who is on A.I bail, SIR, SBR, P.A Report and P.A Hearing.

Ld. P.P. is present. No members are present due to dissolve of earlier Board on 19.10.2025.

Ld. Regular P.O of this Board has deployed in SIR duty. I'm in charge of this Board today.

CCL on A.I bail is present by filing hazira through his Ld. Advocate.

Ld. Advocate for the CCL files one petition for confirmation of A.I bail.

Heard and considere. As such A.I bail of CCL is extended till next date fixed.

As per resolution passed by the Local Bar Association, a request for not passing any adverse order was issued today due to most of the members would be involved in 12th Election of Bar Council, West Bengal.

No P.A Report of the CCL is received till today.

On perusal of the record it appears that the CCL Umar Ali @ omar Ali is aged about above 16 years but below 18 years on the date of alleged incident. It further appears that the offense alleged against the CCL is u/s- 6/17 of POCSO Act which is heinous in nature as per Juvenile Justice (Care & Protection of Children) Act 2015.

Sec 15 of the said Act mandates Preliminary Assessment with regard to the mental and physical capacity of a child who is above 16 years but below 18 years and is to committee heinous offense and ability to understand the consequences of the offense and circumstances in which he committed the offense.

Therefore, considering all aspects, CCL Umar Ali @ Omar Ali (16+ years) be produced before the Expert Panel constituted vide Government of West Bengal, Dept of Health and Family Welfare bearing Memo no: HFW-27020/1/2019 SFWB SEC(DHS)(HFW)-Dept of H&FW/714 dated 06-06-2019 to assess the capacity of the child to commit and understand the consequences of the alleged offence.

This assessment parameters shall include the mental and physical capability of the child to commit such alleged offence, ability of the child to understand the consequences of the offence and the circumstances in which he allegedly committed the offence.

The M.S.V.P of M.J.N Govt. Medical College and Hospital, Cooch Behar is request to arrange expert panel (consist of Superintendent of District Hospital as Chairperson,

Medical Officer as Member, Psychiatrist as Member, Clinical Psychologist as Member) for the purpose of Preliminary Assessment of the CCL on **07-04-2026**. This assessment parameters shall includes the mental & physical capability of the Child to committee the alleged offence u/s-6/17 of POCSO Act .

Accordingly, The C.W.P.O of Tufanganj PS is directed to produce CCL namely Umar Ali @ Omar Ali (16+ years) before the Expert Panel of M.J.N Govt. Medical College and Hospital, Cooch Behar for Preliminary Assessment and submit the report by next date fixed along with Counselling Report.

Let a copy of this order be sent to C.W.P.O of Tufanganj PS for his information and compliance.

Let a copy of this order be sent to M.S.V.P of M.J.N Medical College and Hospital, Cooch Behar for his information and do the needful.

D.A to Comply.

Fix **18-04-2026** for appearance of the CCL who is on A.I bail, SIR, SBR and P.A Report.

D/C

Sd/-
Ld. Principal Magistrate(I/C)
Juvenile Justice Board
Cooch Behar

Sd/-
Ld. Principal Magistrate(I/C)
Juvenile Justice Board
Cooch Behar