

Haldibari PS-262/2023 (Reg. No. POCSO-17/2023)
CNR No. - WCB09-000082-2023
J.O. Code - WB01362

Present: Smt. Peden Dukpa, Ld. Principal Magistrate, JJB, CBR
Present: Smt. Runa Ganguly, Board Member, JJB, CBR
Present: Sri. Kamalesh Ch. Biswas, Board Member, JJB, CBR

Order No: 03

Date: 30.10.2023

Date is fixed for production of both the CCLs, Counselling Report from CCI, P.A. Report, SIR from DCPO and CD and Situation Report from the I.O.

CCLs are produce before this Board from Observation Home with proper escort. They are taken into safe custody.

Received Counselling Report from Korok Home, Jalpaiguri.

Ld. P.P. is present. Members of this Board are also present.

Maternal Uncle of CCL No-1 namely Pankaj Roy and Elder Sister of CCL No-2 namely Rekha Sarkar are also present before this Board today.

Ld. Advocate files a bail petition by their guardian on behalf of both the CCLs and submits before the Board that there is no bail application pending before the Hon'ble Apex Court or no rejection of bail application by the Hon'ble Apex Court in respect of both the CCLs.

The Ld. Advocate for the CCLs prays for bail on any terms and condition.

Heard submission of Ld. Advocate for the CCLs, the Ld. PP.

Ld. PP opposed the bail prayer.

Perused the record, counselling report by Counselor of Korok Home, Jalpaiguri as well as Counselor of this Board.

Maternal Uncle of CCL No-1 namely Pankaj Roy and Elder Sister of CCL No-2 namely Rekha Sarkar are present before the Board and they stated that they are ready to take custody of the CCLs respectively as a fit person and undertakes to ensure their safety, security & welfare.

Maternal Uncle of CCL No-1 namely Pankaj Roy stated that he resides at Hazrapara, PS-Kotwali, Cooch Behar and Elder Sister of CCL No-2 namely Rekha Sarkar stated that she resides at Netaji Subhash Unanyan Pally, Ward No-9 which is far from the house of the CCLs, house of the victim as well as the P.O.

We have scrutinized the record and considered all submissions.

Perused the CD and the materials available in the CD.

Perused the Situation Report.

Considering all aspects as well as, we are of view that the safety & welfare of above mentioned CCLs shall be ensured if they are placed in the protective custody of their respective above mentioned guardian who resides far away from the P.O.

As such bail prayer of the CCLs is allowed on A.I. basis.

Maternal Uncle of CCL No-1 namely Pankaj Roy & Elder Sister of CCL No-2 namely Rekha Sarkar of aboved mentioned CCLs are declared fit persons and the custody of CCLs is entrusted upon them, if not wanted any other case.

Maternal Uncle of CCL No-1 namely Pankaj Roy & Elder Sister of CCL No-2 namely Rekha Sarkar shall furnish A.I. guardian bond of Rs. 2000/- each upon condition to ensure safety and welfare of the CCLs at all times; ensure not to make any association with bad character persons or para people.

CCLs are directed not to enter into the local area of the victim or not enter into the Place of Occurrence, not to contact in any fashion the family of the victim or visit their house and he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the to

dissuade him from disclosing to the case so as such fact to the Board or Investigating Officer/any Police Officer.

Fix 11-12-2023 for appearance of CCLs who are on A.I. bail and hearing on the ground of P.A. report subject to submission of I.O.'s Report/final report.

CD be returned.

D/C

Later:

Maternal Uncle of CCL No-1 namely Pankaj Roy & Elder Sister of CCL No-2 namely Rekha Sarkar furnished A.I. bail bond of Rs. 2000/- each on behalf of both the CCLs which are found fit, correct and accepted.

Release both the CCLs at once if not wanted any other case.

Issue release order at once.

To date.

D/C

Sd/- (Smt.Peden Dukpa) Principal Magistrate Juvenile Justice Board Cooch Behar	Sd/- (Smt.Runa Ganguly) Board Member Juvenile Justice Board Cooch Behar	Sd/- (Shi.Kamalesh Ch. Biswas) Board Member Juvenile Justice Board Cooch Behar	Sd/- (Smt.Peden Dukpa) Principal Magistrate Juvenile Justice Board Cooch Behar
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