

Present: Smt. Peden Dukpa, Id. Principal Magistrate, JJB, CBR

Present: Smt. Runa Ganguly, Board Member, JJB, CBR

Present: Sri. Kamalesh Ch. Biswas, Board Member, JJB, CBR

**Order No: 05**

**Date: 01.12.2023**

Date is fixed for production of the CCL No-2, Counselling report from the CCI, SIR from DCPO in respect of CCL No-2, CD and Situation Report from I.O.

CCL No-2 is produce from Korok Home, Jalpaiguri with proper escort.

He is taken into safe custody.

Received SIR from DCPO, Cooch Behar in respect of CCL No-2. Perused the same. Let the same be kept with the record.

CD along with Situation Report is produce before this Board from the I.O.

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

Maternal Aunt of the CCL No-2 namely Merina Bibi is present before this Board today and files a fresh vokalathnama. Mother of the CCL No-2 is also present before this Board today.

Ld. Advocate files a bail petition by their guardians on behalf of the CCL.

Ld. Advocate for the CCL No-2 submits before the Board that he is presently studing in class-IX and he has his forth comming examination starting from i.e. on 02.12.2023 To this effect, the Ld. Advocate for the CCL No-2 by firisti also filed the exam routine, certificate issued by Teacher-in-Charge of Kushiarbari Haleswar High School. Perused the same. Let the same be kept with the record.

Thus the Ld. Advocate for the CCL No-2 submits that he may be kindly released on bail otherwise the studies will get hampered.

Ld. Advocate for the CCL No-2 also prays for bail on any terms and condition.

Heard submission of Ld. Advocate for the CCL, 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, SIR from DCPO in respect of CCL No-2, Cooch Behar, Situation Report filed by the I.O.

Guardian of the CCL No-2 stated that they are ready to take custody of the CCL No-2 as a fit person and undertakes to ensure his safety, security & welfare.

Maternal Aunt of the CCL No-2 namely Merina Bibi stated that she resides at Rajarhar, PS-Pundibari, Cooch Behar which is far from the house of the CCL, house of the victim as well as the P.O.

We have scrutinized the record and considered all submissions

Perused the CD and the situation report of the area.

We find that the CCL is a student of Class-IX and he has his upcomming examination from tomorrow. We also find that there is a tension in the locality in this regard.

The education of the CCL is one of the paramount consideration and he should not be deprived of the same.

Considering all aspects as well as education of the CCL No-2, Situation report of the area, we are of view that the safety & welfare of above mentioned CCL No-2 shall be ensured if he is placed in the protective custody of his maternal aunt who resides far away from the P.O.

As such bail prayer of the CCL No-2 is allowed on A.I. basis.

Maternal aunt /guardian of aboved mentioned CCL No-2 is declared as fit person and the custody of CCL No-2 is entrusted upon her, if not wanted any other case.

Maternal Aunt of the CCL No-2 namely Merina Bibi shall furnish A.I. guardian bond of Rs. 2000/- upon condition to ensure safety and welfare of the CCL at all times; ensure not to make any association with bad character persons or para people and also ensure the studies of the CCL No-2.

CCL No-2 is 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.

The maternal aunt of the CCL No-2 is also directed to escort the CCL No-2 to his school i.e. Kushiarbari Haleswar High School for his examination which is starting from tomorrow ensuring his safety and security.

If on bail, todate (03-01-2024) for appearance of CCLs who are on A.I. bail, I.O.'s Report/final report and passing order in respect of P.A. in respect of CCL No-1.

CD be returned.

D/C

**Later:**

Maternal Aunt of the CCL No-2 namely Merina Bibi furnished A.I. bail bond of Rs. 2000/- on behalf of the CCL No-2 which is found fit, correct and accepted.

Release the CCL No-2 at once if not wanted any other case.

Issue release order at once.

To date.

D/C

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