

**In the Board of Principal Magistrate
Juvenile Justice Board
Cooch Behar**

JVTR-99/2024
Dt.30/09/2024

JJB GR No-99/2024

Dinhata PS Case No:463/2024 dt: 26.08.2024

U/S.-137(2)/140(3)/3(5)BNS Act

CCL Milon Miya (16+ yrs)

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-01

Dt-30.09.2024

Received one case record from Ld. ACJM, 1st Court, Dinahat in c/w Dinhata PS Case No: 463/2024 dt: 26.08.2024 U/S.-137(2)/140(3)/3 (5)BNS Act along with CCL Forwarding ,C/C of Formal FIR, C/C of Written Complaint, apprehension memo, Seizure list, birth certificate of the CCL, order sheet and other relevant documents along with CCL.

Perused the same.

CCL is produced before the Board with proper escort from Korok Home Jalpaiguri as per direction of the Ld. ACJM, 1st Court, Dinahata.

He is taken into safe custody.

Perused the case record, it appears that the date of birth of the CCL is on 02-10-2007 and the date of offence is on 23-08-2024 which suggests that he was 16 years old on the date of incident.

As such he was a child on the date of alleged incident.

Thus the case is received and registered in the trial register.

Now the record is taken up for hearing of bail petition.

Paternal grandfather of the CCL is present before this Board today.

Ld. Advocate for the CCL has filed one bail petition along with fresh Vokalathnama on behalf of the CCL.

Heard both sides i.e. Ld Counsel and the Ld. PP-in-charge.

Ld. PP-in-charge raised strong objection.

We have interacted with the CCL at length also rendered him proper counselling and scrutinized the record, considered all submissions.

No situation report of the area is available before this Board to ascertain whether there is any danger associated with the life of the CCL, if the CCL is enlarged on bail today.

Counseling has been done by the counselor of this Board.

Through counseling it came to the knowledge of this Board that CCL is Muslim by faith and the V.G is Hindu by faith. Therefore, there is a high chance of communal riots in the area.

Considering all aspects and keeping in mind the welfare and security of the child, release of the CCL at this moment can render him psychological and physical danger and the release of the CCL will defeat the ends of justice.

Hence, the CCL is remanded to protective custody at Observation Home, Korok Home, Jalpaiguri for safety, security and welfare of the child and for rendering proper psychological counseling.

As such prayer for bail is rejected at this stage.

CCL is remanded to protective custody in Observation Home, Korok home, Jalpaiguri.

GRO, JJB is directed to make necessary arrangement to produce the CCL before Superintendent, Korok Home, Jalpaiguri with proper escort, safety & security.

The escort team is directed to take care regarding the safety & security of the CCL during transit to Korok Home, Jalpaiguri.

The Superintendent, Korok Home Jalpaiguri is directed to make necessary arrangement for regular counselling of the CCL while in protective custody and forward all reports on the next date fixed positively.

Cont.....(1)

(2)

The Superintendent, Korok Home Jalpaiguri is further directed to ensure safety, security of the CCL during his stay at the Korok Home, Jalpaiguri.

Let a copy of this order be served upon the Superintendent, Korok Home Jalpaiguri at once.

Call for CD along with Situation Report by the I.O. on next date fixed positively.

Let a copy of this order be served upon the I.O. through the I/C of Dinhata PS, Cooch Behar at once.

Call for Social Investigation Report from D.C.P.O, Cooch Behar by next date fixed positively.

Issue Form-5.

Call for SBR from C.W.P.O of Dinahat PS, Cooch Behar by next date fixed positively.

Let a copy of this order be served upon C.W.P.O of Dinhata PS through the I/C of Dinhata PS, Cooch Behar at once.

D.A. to comply.

Fix **07-10-2024** for production of the CCL, Counselling report from the CCI, SIR from D.C.P.O, Cooch Behar, SBR from concern PS, CD along with Situation Report from I.O.

D/C

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