

Dinhata PS-491/2024 (Reg. No. GR-79/2024)
CNR No: WBCB09-000111-2024
J.O. Code – WB01505

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

Order No: 10

Date: 26.08.2025

Today is fixed for appearance of CCL, Personal Appearance of I.O along with CD and I.O's Report i/d necessary order.

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

CCL on bail is absent by filing one time petition through his Ld. Advocate.

Heard and considered. Prayer for time stands allowed.

Charge Sheet has received from I.O of this case vide charge sheet number 402/2025 dated 22.08.2025 u/s-137(2)/140(3) of BNS Adding Section 04 of POCSO Act against the CCL.

Perused the same. **Cognizance is taken.**

Let it be kept with the record.

On perusal of the record it appears that the CCL Milon Miah (16+ years) 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- 04 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 Milon Miah (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 **18-09-2025**. This assessment parameters shall includes the mental & physical capability of the Child to committee the alleged offence u/s-04 of POCSO Act .

Let a copy of this order be sent to The M.S.V.P of M.J.N Govt. Medical College and Hospital, Cooch Behar for his information and taking necessary action.

Accordingly, The C.W.P.O of Dinhata PS is directed to produce CCL namely CCL Milon Miah (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 positively.

Let a copy of this order be sent to C.W.P.O through I/C of Dinhata Ps for his information and taking necessary action.

D.A to comply.

Fix **22-09-2025** for appearance of CCL and P.A Report.

D/C

Sd/-	Sd/-	Sd/-	Sd/-
(Smt. Ananya Dasgupta) Ld. Principal Magistrate Juvenile Justice Board Cooch Behar	(Smt. Runa Ganguly) Board Member Juvenile Justice Board Cooch Behar	(Sri. Kamalesh Ch. Biswas) Board Member Juvenile Justice Board Cooch Behar	(Smt. Ananya Dasgupta) Ld. Principal Magistrate Juvenile Justice Board Cooch Behar