

**In the Court of Learned Judge, Under POCSO Act
Gangarampur at Buniadpur, Dakshin Dinajpur.**

Special Case No. 31 of 2025

CNR No. WBDD05-000509-2025

JO CODE No. WB-842

Present- Smt. Melissa Gurung

Judge under POCSO Act

Gangarampur at Buniadpur,

Dakshin Dinajpur.

Reference:- Kushmandi P.S Case No. 124 of 2025 dated 17-06-2025.

Order No. 17 dated 20-09-2025

Accused **Enus Hemram @ Inus Hemram** is virtually produced from the J.C.

Compliance report regarding service of bail application upon victim/defacto complainant is received after due service. Let the same be kept in the record.

Ld. Advocate Mr. Shyamal Pal, files appointment letter to represent the State in this case and he is personally present in Court.

Copy is ready and supplied to the Ld. Advocate for the accused person as the accused is in custody and is not produced physically today.

The record is taken up for consideration of charge. Draft charge is filed.

Heard. Considered. Perused the record and the documents contained therein.

There appears substantial grounds on the basis of the materials on record to frame charge against the accused **Enus Hemram @ Inus Hemram** punishable under section **65(2)/351(3) of the BNS R/W Section 06 of the POCSO Act.**

The charges so framed in a separate proforma is kept with the record.

The contents of the said charges are read over and explained to the accused person to which he plead not guilty by saying '**Ami Nirdoshi**' and claims to be tried.

After the charge is framed, the Ld. Defence Counsel is directed to consult with the accused virtually to understand if there are documents in the record(supplied to them in compliance of provisions of section 207 Cr.P.C.) on which the prosecution will rely upon in the evidence which will be admitted to by the accused/ defence.

An application praying for bail had been filed by the accused on 22-07-2025, which is fixed for hearing today.

Compliance report regarding service of bail application upon the victim/ defacto complainant is received after due service.

Defacto complainant is present.

The bail application is taken up for hearing.

Heard all sides. Considered.

The Ld. Spl. P.P-in-charge objects to the prayer for bail so does the defacto complainant.

Perused the record and the materials contained therein specially the statement of the victim u/s 183 of the BNSS.

Considering the materials in the statement, gravity of the offence, the age of the victim and also the fact that charge is already framed against the accused and the record is ready for trial, I am not inclined to grant bail to the accused at this stage without recording the evidence of the victim.

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Contd. Order No. 17 dated 20-09-2025

Hence the application praying for bail is rejected.

After the hearing of bail the accused on consultation with the Ld. Advocate submits that he will not be admitting to any of the documents on which the prosecution seeks to rely on (as supplied to him in compliance of provisions of section 207 Cr.P.C). A declaration to that effect is also filed which is duly signed by the accused and the Ld. Defence Counsel.

On discussion with both the prosecution and the defence it is agreed that only CSW-1 be called on the first date as there is no guarantee that the evidence of CSW-1 will be completed in a single day. It is submitted that after the evidence of CSW-1 is completed a schedule of dates may be fixed.

Considering the reasonableness of the submission of the Ld. Counsel only a single date for evidence of CSW-1 is fixed.

If on bail 19-11-2025 for production of the accused and evidence of CSW-1.

Issue summon on C.S Witness No. 1 accordingly.

Prosecution to take steps.

Dictated & Corrected by

**Judge, under POCSO Act
Gangarampur at Buniadpur.
Dist.- Dakshin Dinajpur.**

**(Melissa Gurung)
(WB-00842)
Judge, under POCSO Act
Gangarampur at Buniadpur
Dist.- Dakshin Dinajpur.**