

West Bengal Form No.3891.
H.C Criminal Form No.(M)21

ORDER-SHEET FOR SESSIONS RECORD
In the Court of Additional Sessions Judge, 2nd Court, Darjeeling

Spl.(C) 102/15
S.T No.14(4)/2016

Committing Officer.

Charge under section 4 of POCSO Act 2012

The Charge is read over and explained to the accused who pleaded " Not guilty "

No. 1. **Bappa Roy**
2. **Shiben Barman**

The following Jurors/Assessors were chosen-

Foreman.

For the State- Sri Pranay Rai, Ld. P.P

For Accused-

Enter below all proceedings and orders

Order No.1

15.04.16

T o d a y both the accused Bappa Roy and Shiben Barman are produced from J/C. Today is fixed for framing of **C h a r g e**.

On behalf of the accused Bappa Roy one bail application has been filed, which is seen by the Ld. P.P-in-charge.

Now, the bail application is taken up for hearing.

Heard Ld. Advocate for both the sides.

Perused the application for bail and considering the facts and circumstances of the case, I find that if the bail be granted to the accused there is every chance of his absconding and chance of tampering evidence of the prosecution witnesses. Therefore, the prayer for bail is **c o n s i d e r e d** and **r e j e c t e d**.

Now, in respect of framing of **C h a r g e** I have heard both the sides.

Perused the C.D. I find that there is a ground for presuming that the accused persons have committed an offence prima-facily under section **4 of the Protection of Children from Sexual Offences Act 2012** and accordingly, since that section is exclusively triable by this Ld. Court, the substance of accusation **under section 4 of the Protection of Children from Sexual Offences Act 2012** is read over and explained to the accused persons, to which both the accused persons pleaded “not guilty” and claimed for trial.

Pertinent to mention that accused Bappa Roy is a Deaf and Dumb person and an interpreter from Darjeeling Deaf and Dumb School was called for and he is present today and in whose presence the substance of accusation as against Bappa Roy is read over and explained in sign language, in which that accused pleaded “not guilty” in sign language.

Accordingly, fix **10.05.16** for evidence.

Dictd.& corrted.by me,

A.S.J,2nd Court
-Cum-Spl. Judge,
Under POCSO Act,DLg.

(Anupam Mukherjee)
Additional Sessions Judge
2nd Court-cum-Special Judge
Under POCSO Act,Darjeeling
15.04.2016

