

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, 1ST
COURT-CUM-SPECIAL COURT(POCSO), CONTAI, PURBA
MEDINIPUR.**

Present : Shri A.N. Bhattacharya
Additional Sessions Judge, 1st Court-cum-
Judge, Special Court, Contai.
JO Code :: WB 00819

Sessions Case No.SC 529 of 2023
CNR WB0900-002169-2023

STATE
Vs
Sibu Ghorai @ Subhajit @ Siba

Order No. 01, dated 19-08-20223

Received the case record bearing GR(E) No.972 of 2023 in connection with Egra PS case No.592 of 2023 dated 02-08-2023 under section 80 of Juvenile Justice Act along with adding section 376(2)(ii) of IPC and section 6 of POCSO Act.

Let it be registered as SC No.529 of 2023(POCSO).

It is found that accused Sibu Ghorai @ Subhajit @ Siba was arrested by police and produced before Ld. ACJM, Contai on 18-08-2023 and the Ld. Court had directed the production of the accused person before this Court today.

Accused Sibu Ghorai @ Subhajit @ Siba is produced before this Court from J/C.

Smt. Susmita Maity Das has been appointed as Ld. Special PP for this case and she files her appointment letter. Let it be kept with the record.

A bail petition is filed on behalf of the accused person.

Ld. Advocate for the accused person submits that the accused is totally innocent and he has been falsely implicated in this case. He also submits that there is no cogent reasons for remanding the accused to police custody.

The said prayer is strongly opposed by the Ld. Special PP who submits that sufficient materials is lying in the case record which requires further investigation and for that purpose police custody of the accused is essential.

Considering the submissions of both the sides and the materials on record and C.D., the prayer for bail stands rejected.

Contd.....

Sessions Case No.SC 529 of 2023

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Prayer of I.O for police remand of the accused Sibuh Ghorai @ Subhajit @ Siba forwarded by I/C, Egra P.S forwarded and recommended by SDPO, Egra.

I.O is present.

Perused the police remand petition, case record and case diary.

Heard I.O and the accused.

In the application for police remand I.O assigned reason for police custody for five days to unearth the crime by reconstruction of the same and collect evidence.

On perusal of case diary it appears that I.O recorded statement of accused recorded under Section 161 of the Cr. P.C.

For the sake of investigation, prayer for police remand of the accused is allowed for 04 (four) days.

I.O. is directed to get the accused examined by a Medical Officer of any Govt. Hospital or Health Centre after every 24 hours during the period of police remand and to comply the directives of the Hon'ble Apex Court reported in AIR 1997 SC 610.

Fixing 22-08-2023 for production of the accused by I.O before this Court along with C.D.

I.O has prayed for necessary permission to strike off the name of the victim girl and her photograph from the C.D. on the ground as mentioned therein.

Prayer is considered. As this is a case under the POCSO Act, such action is mandatory in terms of the direction of the Hon'ble High Court.

Prayer of the I.O is allowed and he is permitted to mask the name, photographs and other identification of the victim girl of this case in the C.D. in according with the procedure as directed by the Hon'ble High Court.

C.D is returned.

Let a copy of this order be handed over to I.O for information and strict compliance.

Let a copy of this order be sent to Superintendent, Contai S.D Correctional Home.

Sd/-
Additional Sessions Judge, 1st Court-cum-
Judge, Special Court, Contai.