

POCSO Case No. 83/2016

Present : Sri Debabrata Kundu (WB00728).
Judge, Special Court,
ADJ 2nd Court, Malda.

Order No.23
31.03.2022

Accused person, namely, Jiban Mandal on court bail is present by filing hazira.

Victim child has been produced by O.C. Mothabari P.S.

Ld. Spl. P.P. submits that perhaps victim child is not mentally fit to depose and requires examination by the Court.

Accordingly, victim child was examined by this Court by putting some simple questions, like her name etc. to find out whether she is mentally capable to depose. It appears that the victim child is smiling without any reason and could not state her surname and reply other simple questions like what will happen if she put his hand on the running fan or boiling water.

From the mannerism of the victim child and failure to give proper replies, it is clear that the victim child has some mental deficiency. Therefore, this Court finds that the victim child is not a fit person to depose. Accordingly, her examination is dispensed with.

Fix 16.06.2022 & 17.06.2022 for appearance and evidence of rest witnesses.

Dictd. & Corrted. by me,

***Judge, Special Court,
ADJ 2nd Court, Malda.***

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ADJ 2nd Court, Malda.***