

POCSO Case No. 163/2017

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

Order No.01
28.04.2022

Accused Krishna Chandra Saha on court bail has been produced from J.C. in terms of production warrant issued by this court. Other accused persons, namely, Ananda Chandra Saha, Mukul Chandra Saha, Gokul Chandra Saha, Ratan Chandra Saha and Mithun Chandra Saha on court bail are present by filing hazira.

Today is fixed for consideration of charge.

Ld. Spl. P.P opens the prosecution case and proposes to frame charge against accused Krishna Chandra Saha under section 366 of I.P.C. read with Section 6 of POCSO Act, alternatively U/s-376(2)(n) of I.P.C. and against accused persons, namely, Ananda Chandra Saha, Mukul Chandra Saha, Gokul Chandra Saha, Ratan Chandra Saha and Mithun Chandra Saha under section 366/109 of I.P.C. read with Section 6/17 of POCSO Act, alternatively U/s-376(2)(n)/109 of I.P.C.

Having considered the materials in record, I am of the considered view that there is a prima facie case and sufficient ground to frame charge against the accused persons as proposed by prosecution.

Charge is accordingly framed against accused Krishna Chandra Saha under section 366 of I.P.C. read with Section 6 of POCSO Act, alternatively U/s-376(2)(n) of I.P.C. and against accused persons, namely, Ananda Chandra Saha, Mukul Chandra Saha, Gokul Chandra Saha, Ratan Chandra Saha and Mithun Chandra Saha under section 366/109 of I.P.C. read with Section 6/17 of POCSO Act, alternatively U/s-376(2)(n)/109 of I.P.C.

Substance of charge is read over and explained to the accused persons with details of the victim child, but the details of the victim child has not been written down on the charge form to keep her identity undisclosed and the accused persons have pleaded not guilty and claimed to be tried.

Let the case be fixed up on **18.05.2022** for evidence of victim child.

Issue summons to the witness.

Dictd.& Corrted. by me,

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

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