

POCSO Case No. 129/2022
Present : Sri Debabrata Kundu (WB00728),
Judge, Special Court,
ADJ 2nd Court, Malda.

Order No.05
01.09.2022

Accused persons, namely, Samir @ Sumir Barman and Soumen Barman @ Sumanta Barman have produced from J.C. and remanded back to J.C.

Accused persons have prayed for bail by filing a petition.

Perused the petition, C.D., record, heard both sides and considered.

Ld. Spl. P.P. raised vehement objection.

Considering the available materials in C.D., particularly statement of victim child recorded u/s-164 of Cr.P.C. and considering the gravity of the offence alleged and initial stage of investigation, I am not inclined to allow the prayer for the accused persons.

Accordingly bail prayer of accused persons, namely, Samir @ Sumir Barman and Soumen Barman @ Sumanta Barman is rejected.

To 15.09.2022 for production and report of I.O.

The I.O has submitted one prayer for passing an order of capability test of accused persons, namely, Samir @ Sumir Barman and Soumen Barman @ Sumanta Barman.

Perused the petition, considered and the prayer for capability of the accused persons, namely, Samir @ Sumir Barman and Soumen Barman @ Sumanta Barman is allowed for the interest of justice.

The Superintendent of Malda Medical College and Hospital is requested to make necessary arrangement for capability test of accused persons, namely, Samir @ Sumir Barman and Soumen Barman @ Sumanta Barman to be produced before him by the I.O of the case and to report by 15.09.2022.

To date, i.e. 15.09.2022 for production and report.

Let a copy of the order be sent to The Superintendent of Malda Medical College and Hospital, the Superintendent of District Correctional Home, Malda and IO of this case for compliance.

Dictd. & corrd. by me

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

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