

POCSO Case No. 161/2022

Present : Sri Rajib Saha
Judge, Special Court,
ADJ 2nd Court, Malda.

Order No.01

10.04.2024

Accused persons namely Sujoy Ghosh and Prosenjit Ghosh has been produced before this court and remanded back to J.C.

Record is taken up for consideration of charge.

Ld. SPL. P. P is present.

Ld. SPL. P.P opens the prosecution case and proposes to frame charge against the accused person, namely, Sujoy Ghosh u/s 363/365/366A of I.P.C. & u/s-6 of POCSO Act, 2012 alternatively 376D of IPC and 9 of Prohibition of Child Marriage Act. and against the accused person namely Prosenjit Ghosh u/s- 363/365/366A of I.P.C. & u/s-6 of POCSO Act, 2012 alternatively 376D of IPC and 10 of Prohibition of Child Marriage Act.

Considered the submissions made by Ld. Advocates for both sides and the contents of case record.

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 the accused person, namely, Sujoy Ghosh u/s 363/365/366A of I.P.C. & u/s-6 of POCSO Act, 2012 alternatively 376D of IPC and 9 of Prohibition of Child Marriage Act. and against the accused person namely Prosenjit Ghosh u/s- 363/365/366A of I.P.C. & u/s-6 of POCSO Act, 2012 alternatively 376D of IPC and 10 of Prohibition of Child Marriage Act.

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

Let the case be fixed up on 03-06-2024, 04-06-2024 and 05-06-2024 for production and evidence of victim child, complainant, CSW 2+3 and CSW 4+5.

Issue summons to the witness.

Prosecution to take steps.

**Dictd.& Corrted. by me,
Judge, Special Court,
ADJ 2nd Court, Malda.**

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