

Spl. (POCSO) 27/2018

Present: SUTIRTHA BANERJEE[J.O. Code WB-00980]
Judge(Special Court)POCSO Act,
Basirhat, North 24 Pdns

42/26.08.2025

Accused Manirul Islam Gazi is brought under arrest. Received forwarding, police custody prayer, arrest cum inspection memo and medical paper of the accused.

He is taken into custody.

I.O. has filed an application praying for seven(7) days police custody of the accused.

The application is duly forwarded by the O.C., Swarupnagar P.S., C.I., Swarupnagar and Dy S.P. (HQ), Basirhat Police District.

Ld. Advocate for accused appointed through the SDLSC, Basirhat files a prayer for bail.

Ld. Special Public Prosecutor opposes such prayer.

Heard both sides. Considered.

Perused the written complaint and case diary and statement of V.G. under section 164 of Cr.P.C. admittedly accused not F.I.R. named but considering nature and gravity of alleged offences and the conduct of the accused person and statement of the V.G. under section 164 Cr.P.C. and his long abscondence and not joining the investigation earlier, I am not inclined to enlarge the accused on bail at this stage.

Bail prayer is hence rejected.

Heard ld. Spl. P.P, the I.O. as well as ld. advocate for the accused person with respect to police custody prayer.

Perused the record, case diary and police custody prayer.

Case is serious in nature.

On perusal of C.D and the police remand prayer as also the nature and circumstances of this case and for the purpose of effective investigation, I am of the view that police custody is essential.

I.O. has prayed for 7 days police custody. It appears seven (07) days police remand prayer is sufficient for the purpose.

Accordingly, hand over the said accused persons to the Investigating Officer of this case or his authorised representative, at his risk, at once for the purpose of taking them into his Police Custody with immediate effect for next 7 (**seven**) days.

The Investigating Officer of this case or his authorised Police Personnel shall put his signature by the side of this Order Sheet as a token of getting custody of the said accused person, for the above stated period.

While keeping the accused person in custody, the Investigating Officer of this case is to ensure that the accused person is subjected to Medical check ups every 24 hours by a Government Registered Medical Practitioner. The Investigating Officer is further directed to ensure that the accused person is not subjected to any sort of torture, be it physical or mental while in P.C.,

That apart the Investigating Officer has to ensure that the accused person is subjected to humane conditions and his human rights are preserved and not violated keeping in mind and strictly complying with the guidelines as laid down by the Hon'ble Apex Court in the celebrated D.K. Basu's case and the relevant directives of the NHRC.

The Investigating Officer is to produce the said accused person before this Court on 02/09/2025 by 10:30 am along with the full Case Diary.

Hand over a copy of this Order Sheet to the Investigating Officer of this case or to his authorised Police Personnel for his strict compliance.

To **02.09.2025** for production from police remand and C.D.

Let a copy of this order be sent to ld. C.J.M, North 24 Parganas, ACJM, Basirhat for information.

Dictated and corrected by me :

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