

Spl (POCSO) 45/2024

CHARGE WITH THREE HEAD
[No. XXXII, Schedule II, Act. 2, 1974]
(Sections 211,212, 213, Code of Criminal Procedure.)

- 1) Name and office of Magistrate, &c
2) Name of accused persons
3) State the offence.
4) My cognizance/ cognizance of this court of Sessions
- I ⁽¹⁾, Smt. Leena Golder , Judge, Spl (POCSO) Court , Basirhat, North 24 Parganas , hereby charge you ⁽²⁾ ,
- 1) Naim Mondal
- Firstly**, that you, on or about 03.06.24 at 8.45 a.m at your godown near our shop at Ghoshpur , P.S Baduria , North 24 Parganas , committed rape upon the victim girl, then aged under 12 years and that you thereby committed an offence punishable under **Section 376AB** of **Indian Penal Code**, and within⁽⁴⁾ the cognizance of this court.
- Secondly** , on or about on or about 03.06.24 at 8.45 a.m at your godown near our shop at Ghoshpur , P.S Baduria , North 24 Parganas , you committed aggravated penetrative sexual assault upon the victim girl , then aged below 12 years , and that you thereby committed an offence punishable under **Section 6 of Protection of Children From Sexual Offences Act (POCSO)**, and within⁽⁴⁾ the cognizance of this court.
- 5) In case tried by Magistrates omit "by the said Court"
- And I do hereby direct that you be tried ⁽⁵⁾ by this Court on the said Charge.
The contents of charge is read over and explained to the accused in Bengali to which he pleads not guilty and claims trial.

Dated this 26th day of November , 2024

Judge, Spl Court (POCSO Act)
Basirhat, North 24 -Parganas

Spl. (POCSO) 45/2024

8/ 26.11.24

Accused Naim Mondal is produced from J.C and he is taken into custody and remanded to J.C till next date.

Today is fixed for framing of charge.

An application has been filed on behalf of the accused Naim Mondal praying for bail on the grounds stated therein.

At the very outset, Learned Advocate for the accused submits before this Court that no such application u/s 482/483 BNSS is either pending and/or disposed of in the negative before any higher forum .

Ld Advocate for the present accused person moves the bail petition on the ground stated in the petition.

The ld. Special P.P raises objection to the prayer for bail.

De facto complainant files hazira .

Heard both sides. Perused the materials on record and C.D. Considered.

Prima facie case u/s 376AB and sec.6 of POCSO Act has been established in this case against the accused by submission of Charge Sheet . Considering the FIR , materials in C.D , bail prayer stands rejected.

The case is taken up for framing up of charge.

Heard both sides. Perused C.D and other materials on record.

Prima facie it appears that the accused has committed offence u/s 376AB IPC and u/s 6 of POCSO Act.

Hence, charge under the above sections are framed against the accused .

The contents of charge is read over and explained to the accused to which he pleads not guilty and claimed to be tried.

Fix 20.01.2025 for evidence of C.S.W -1(De facto complainant)/
production .

Issue summons accordingly .

D/C by me

Judge, Spl Court (POCSO Act)

Judge, Spl Court (POCSO Act)
Basirhat, North 24 -Parganas
26.11.2024

