

Present:- Sri Sutirtha Banerjee
J.O Code : WB 00980
Additional Sessions Judge, Basirhat

Order No. 17 Dated 05/06/2025

Today is fixed for production / charge.

Accused Nemai Mondol produced through VC.

Ld. Advocate for accused prays for bail.

Heard Ld. Advocate for accused person who submits that accused has been falsely implicated and that the medico legal examination report does not support the allegations.

Ld. Special Public Prosecutor raises objection.

Heard both sides. Considered.

Charge-sheet submitted under section 376(3) and 6 POCSO Act.

Prima facie offences established by submission of charge-sheet.

Considering the tender age of the V.G., medio legal examination report and materials in case diary I am not inclined to enlarge accused on bail.

Bail prayer is hence rejected.

Record is taken up for framing of charge.

Perused the C.S, C/R and other relevant documents on record.

On perusal it appears to me that there are sufficient grounds for framing of charge against the accused person u/s 376(3) /506 of I.P.C. and section 6 POCSO Act.

Accordingly charge is framed against the accused person u/s 376(3)/506 I.P.C. and section 6 POCSO Act. in separate sheet of paper in prescribed form.

The contents of charge are read over and explained to accused person in Bengali, to which he plead not guilty by saying “ami nirdosh”” and claim to be tried.

Fix **11/08/2025** for evidence of de-facto complainant. **11/08/2025/POCSO/2024/VC**

Ld. Public Prosecutor in charge to ensure summons are put in and production of alamat if any on date fixed.

Dictated & corrected by me

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

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Spl (POCSO) 23 of 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,

I ⁽¹⁾ , Sri Sutirtha Banerjee, Judge, Spl (POCSO) Court, Basirhat North 24 Parganas, hereby charge you ⁽²⁾,
- 2) Name of accd persons

1) Mahid Ali Molla @ Mahid Molla
- 3) State the offence

Firstly, that you, since 3 / 4 months before 13/03/2024 on several times and several occasion committed rape forcibly upon your
- 4) My cognizance/ cognizance of this Court of sessions

minor daughter/minor victim girl aged about 15 years in your house as a result she became pregnant and that you thereby committed an offence punishable under section **376** of Indian Penal Code and within the cognizance of this Court.
- 5) In case tried by Magistrate omit “by the said Court”

Secondly, that you, on the same date, same time and same place committed criminal intimidation by threatening to your minor daughter (V.G.) that if she disclsoed the incident she will be killed and that you thereby committed an offence punishable under section **506** of the Indian Penal Code and within the cognizance of this Court.
- Thirdly***, that you, since 3 / 4 months before 13/03/2024 on severaltimes and several occasion committed aggravated penetrative sexual assault upon your minor daughter/minor victim girl aged about 15 years and that you thereby committed an offence punishable under section **6** of Prevention of Children From Sexual Offences Act (POCSO), and within (4) the cognizance of this Special court.

And I do hereby direct that you be tried 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 claimed trial.

Dated this 5th day of June, 2025.

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

