

Spl (POCSO) 104 of 2025 (R. 61 of 2017)

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

Order No. 12 Dated 24/10/2025

Today is fixed for production and consideration of charge.

Accused **Dipankar Munda** is produced through audio video linkage.

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 65(2) of BNS and section 6 of POCSO Act.

Accordingly charge is framed against the accused person u/s 65(2) of BNS and section 6 of 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.

One bail application of the accused namely, **Dipankar Munda** is filed.

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

Ld. Advocate for accused prays for bail on ground of false implication. It is submitted that charge-sheet has been submitted and accused will not abscond and face trial and may be granted bail on any condition.

Ld. Lawyer for the defacto-complainant files a petition raising objection against such bail prayer filed by the accused.

Ld. Special Public Prosecutor raises objection citing nature and gravity of alleged offences and fact that charge-sheet has been submitted.

Heard both sides. Considered.

Perused the record, charge-sheet and case diary including statement of the V.G. under section 183 BNSS and the report of Medico legal examination. Charge-sheet submitted in prima facie support of alleged offence under section 6 POCSO Act.

Considering materials therein, the tender age of the V.G. who is aged 6 years and nature and gravity of alleged offences and prima facie incriminating materials it will not be proper to release the accused persons on bail at this stage moreso till at least examination of vulnerable witnesses are completed.

Bail prayer of accused stands rejected.

The accused is remanded to J.C. till 28/11/2025.

Fix **28/11/2025** for evidence of de-facto complainant.

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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Charges with Two Heads
(No. XXVIII(II), Schedule V, Act V,1898)
Sections 221, 222, 223, Code of Criminal Procedure)

SPL(POCSO) 104/2025

Name & Office of
Magistrate, & Court

Ref: (Matia P.S Case No. 223/2025 dated 06/07/2025)

I, Sri S Banerjee
Judge(Special Court)POCSO Act
Basirhat, North 24 Pgns

hereby charge you

name of the accused person/s

1. Dipankar Munda

(3)My cognizance or
the cognizance of the
Court of Sessions

Firstly- That you, on 06/07/2025 at about 12 noon at village Kendua Lalpally under P.S. Matia when the V.G. was plucking snail, called the V.G. to a lonely nearby jute filed and inserted your finger in the vagina of the minor V.G. (aged – 10 years, a student of class- III) aged less than twelve years of age and committed rape and you thereby committed an offence punishable under section **65(2)** of B.N.S. and within the cognizance of this Court.

Secondly- That you, on 06/07/2025 at about 12 noon at village Kendua Lalpally under P.S. Matia when the V.G. was plucking snail, called the V.G. a lonely nearby jute filed and inserted your finger in the vagina of the minor V.G. (aged – 10 years, a student of class- III) and committed penetrative sexual assault on her and hence committed offence of aggravated penetrative sexual assault and hence committed an offence punishable under section 6 POCSO Act and within the cognizance of this Court.

And I hereby direct that you be tried by the said court on the said charges.

Charges are read over and explained to the accused person to which he pleaded not guilty by saying 'Ami Nirdosh' and claim to be tried.

Dated this 24th day of October, 2025

Dictated and corrected by me :

Judge(Special Court)POCSO Act
Basirhat, North 24 Pgns

Judge(Special Court)POCSO Act
Basirhat, North 24 Pgns

