

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special Case No.63/2026

Ref.: Netaji Nagar PS Case no: 26/2026 Dated : 14.02.2026 U/s
76/137(2)/74/78/351(2)/79/204 BNS read with Section 8/12 of POCSO Act.

Present : Rimpa Roy (JO Code - WB00822)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

Order No.01
Dt. 16.02.2026

Received original record from the Court of Ld. ACJM, Alipore.

The accused Santanu Dey (54 years) is produced before this Court from JC. He is taken into custody.

Let the case be registered under POCSO Act.

One bail application has been filed by the Ld. Advocate for the accused. Ld. Advocate prays for time to move the application for bail. Accordingly bail prayer is kept in abeyance.

I.O of this case has made prayer for P.C of this accused till 19.02.2026 for the purpose of investigation. I.O. is present with C.D.

Ld. Advocate for the accused raised strong objection against the prayer for PC of the accused.

I have heard the IO as well as the Ld. Special PP. I have perused the materials as available in CD.

It is a case under section 76/137(2)/74/78/351(2)/79/204 BNS read with Section 8/12 of POCSO Act. It appears from the PC prayer of the I.O that prayer of I.O for PC of the accused has been forwarded by superior officer. From the submission of prosecution it reveals that I.O requires PC of this accused for the purpose of verifying the statement of the accused for the purpose of investigation of the case. So, for the purpose of investigation the prayer of PC requires to be allowed.

Accused Santanu Dey is remanded to police custody till **18.02.2026**. I.O is further directed to observe the guidelines of the Human Right Commission and direction of the Hon'ble Supreme Court regarding police custody of the said accused person. I.O is also directed to take all necessary steps for medical check-up of the accused at the regular intervals and not to make any kind of torture during P.C period.

Other prayers of the IO are considered and allowed.

Learned A.C.J.M, Alipore is requested to record the statement of the **victim girl / complainant** u/s 183 BNSS either personally or by deputing any other Magistrate within 48 hours following the procedure as laid down in section 25 and 26 of the POCSO Act, 2012 and to forward the same to this Court without undue delay. In view of the direction of the Hon'ble High Court, Calcutta vide

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Judgment dated 16.12.2021 delivered by the Hon'ble Justice Bibek Chawdhuri in **CRA 517 of 2017 (Prabir Bhuian Alias Prabir Bhuinyan Vs The State of West Bengal)** the learned Magistrate is also requested to take care and to take necessary steps so that the identity of the victim girl is not disclosed during recording of the statement of the victim girl. The I.O. of this case is directed to produce the victim girl before the Ld. Magistrate for recording her statements.

Fix **18.02.2026** for production of the accused from PC, hearing of bail application and I.O's report.

Let copy of this Order be sent to the Superintendent of Presidency Correctional Home and the CI Kolkata Lockup for information and necessary action.

Return CD.

D/c by me.

Sd/-

Judge, Special Court &
2nd A.S.J., Alipore

Sd/-

Judge, Special Court
& 2nd A.S.J., Alipore.