

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore  
**Special Case No.61/2021**  
**CNR – WBSP01-004680-2021**

Ref.: Basanti PS Case No:188/21 Dated : 01.04.2021  
U/s 376(2)(f) of I.P.C and Sec 6 of the Protection of Children from Sexual  
Offence Act, 2012.

**Present : Rajender Kumar Dudeja (WB01308),**  
**Judge-in-Charge, Special Court**  
**2nd A.S.J, Alipore, South 24-Parganas**

State Vs. Bijay Sardar

Order No.01

Dt.05.04.2021

Received the F.I.R bearing Basanti PS Case No:188/21 Dated : 01.04.2021 and other documents through learned Additional Chief Judicial Magistrate, Alipore.

Register the same as Special Case No.188/2021 u/s 376(2)(f) of I.P.C and Sec 6 of the POCSO Act, 2012.

Accused Bijoy Sardar (27 years) is produced from J.C through V.C.S.

A bail petition has been filed on behalf of the accused by learned advocate Mr. Sarfaraz Hossain from Standing Counsel Panel of D.L.S.A, Alipore along with appointment letter.

Heard both sides.

Learned advocate moves bail application on behalf of accused and submits that accused is innocent and he has been falsely implicated in this case. The allegation levelled against him are false, fabricated, concocted and baseless. No bail prayer is pending or rejected before any higher forum. Accused may be enlarged on bail imposing any terms and conditions.

Learned Special P.P raises objection.

Perused the materials on record.

Considering the gravity of alleged offence and initial stage of investigation, bail prayer of accused Bijoy Sardar stands rejected.

Accused is remanded to J.C.

I.O has made prayer for recording statements of victim girl u/s 164 Cr.P.C.

Heard learned Special P.P as well as the I.O. Perused the prayer.

Prayer of the I.O is considered and allowed for the purpose of investigation.

The identity of the victim girl is required to be kept confidential as per provisions of **Sec 33 (07) of POCSO Act, 2012** as well as **under the direction of the Hon'ble Supreme Court in Nipun**

**Contd...**

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**Saxena Vs Union of India and the direction of the Hon'ble  
High Court, Calcutta in Bijoy @ Guddu Das Vs The State of  
West Bengal.**

Accordingly, I.O is directed to take care and to take necessary steps so that the identity of the victim girl is not disclosed during the investigation of this case.

Learned A.C.J.M., Alipore is requested to record the statements of victim girl u/s 164 Cr.P.C either personally or by deputing any other Magistrate within 48 hours. Learned Magistrate is also requested to record the statement of the witness 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.

The I.O. of this case is directed to take further instruction from the learned Magistrate regarding the production of the victim girl for recording her statement.

Inform the learned Additional Chief Judicial Magistrate by sending a copy of this Order along with photocopy of written complaint and formal F.I.R.

To 19.04.2021 for production of accused and I.O's report.

D/c by me.

**Sd/-  
Judge-in-Charge, Special Court &  
2nd A.S.J., Alipore**

**Sd/-  
R.K.Dudeja(WB01308)  
Judge-in-Charge, Special Court &  
2nd A.S.J., Alipore**