

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore

Special Case No. 156/2024

CNR: WBSP01-006233-2024

Ref.: Jibantala PS Case no: 244/2024 Dated : 09.05.2024

U/s 376(2)(n)/376(3)/313 of I.P.C read with Sec 06 of the Protection of Children from Sexual Offence Act, 2012

Present :Sudipta Bhattacharjee (JO Code - WB00794)

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

Alipore, South 24-Parganas.

State Vs. Amu Kha.

Order No.01

Dt. 10-05-2024

The accused **Amu Kha** (62 years) is brought under arrest and produced before this Court along with relevant documents.

Let the case be registered under POCSO Act.

A bail petition has been filed on behalf of the accused by the ld. Advocate appointed through LADCS.

I.O of this case has made prayer for P.C of this accused for seven days for the purpose of verifying the statement of the accused and for reconstruction of crime and to collect more supporting evidences.

He has also made prayer for recording statement of the V.G and direction to the Superintendent of Baruipur SD Hospital for preservation of the blood sample of the accused after collecting it for DNA Profile test.

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

It is a case 376(2)(n)/376(3)/313 of I.P.C read with Sec 06 of the Protection of Children from Sexual Offence Act, 2012. It appears from the PC prayer of the I.O that prayer of I.O for PC of the accused has been forwarded by the Sub-Divisional Police Officer, Baruipur, Baruipur Police District. 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 and for reconstruction of crime and to collect more supporting evidences for the purpose of investigation of the case. So, for the purpose of investigation the prayer of PC requires to be allowed and the other prayers of the I.O are also considered and allowed.

Accused **Amu Kha** is remanded to police custody till **16.05.2024**. 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. Since PC prayer is allowed, the bail petition of this accused is considered and rejected.

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Contd. Order No. 01 dt. 10-05-2024

Learned A.C.J.M, Alipore is requested to record the statement of the **victim girl** u/s 164 Cr.P.C either personally or by deputing any other Magistrate within 48 hours and send the same before this Court as early as possible.

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

Supply the copy of the statement to the I.O as and when the same is received.

The Superintendent of Baruipur SD Hospital is directed to do the needful for collection and preservation of the blood sample of accused Amu Kha for the purpose of DNA Profile test.

The I.O is also directed to produce accused person to the Superintendent of Baruipur SD Hospital on the scheduled date. To 16-05-2024 for production of the accused from police custody and I.O's report.

D/c by me.
Sd/-

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

Sd/-

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