

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special Case No.144/20
CNR - WBSP01-007031-2020

Ref.:Basanti PS Case no: 877/19 Dated : 20.12.2019
U/s 376(2)(n) of I.P.C read with section 6 of the Protection of Children from Sexual
Offence Act, 2012 and section 5/6/7 I.T (P) Act.

Present :Umesh Singh (JO Code - WB00783)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

StateVs. Abed Ali Molla & ors

Order No.21
Dt.15.02.2022

Out of two accused persons one accused person namely Kiran Kumar is produced from J.C through VCS.

Accused person namely Nisha Rani @ Gomathi Eshwari is produced from Alipore Women Correctional Home in person.

Today is fixed for hearing of bail petition and consideration of application of T.I Parade.

Heard both sides.

Learned advocate for accused persons submits that these accused persons are innocent and they have been implicated in this case falsely. No bail prayer is either pending or rejected before any higher forum. Accused persons may be enlarged on bail imposing any terms and conditions.

Learned Special P.P-in-Charge raises objection.

Perused the materials on record and in CD.

Considering materials in CD and gravity of allegation, bail prayer of both the accused persons namely accused Kiran Kumar and Nisha Rani @ Gomathi Eshwari stands rejected at this stage of investigation.

Accused persons are remanded to J.C.

Heard learned Special P.P as well as the I.O on T.I Parade prayer.

Prayer of the I.O for TI Parade of accused persons namely Kiran Kumar and Nisha Rani @ Gomathi Eshwari is considered and allowed for the purpose of investigation.

The identity of the minor 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 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** and also in **Prabir Bhuian Alias Prabir Bhuinyan Vs The State of West Bengal**.

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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 conduct the T.I Parade of accused persons namely Kiran Kumar and Nisha Rani @ Gomathi Eshwari for their identification by the victim girl, either personally or by deputing any other Magistrate and send the said report to this Court at earliest.

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

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 02.03.2022 for production of accused and I.O's report.

D/c by me.

Sd/-Umesh Singh
Judge, Special Court &
2nd A.S.J., Alipore.

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