

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special Case No. 395/2025
CNR: WBSP01-010706-2025
Ref.: Canning PS Case no: 509/2025 Dated : 25.07.2025
U/s 65(2) of BNS and Sec.6 of the Protection of Children from Sexual Offence Act,
2012.
Present : Rimpa Roy (JO Code - WB00822)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

Order No.01
Dt. 28-07-2025

Received original case record from the Court of Ld. ACJM, Alipore along with relevant documents.

Accused Babai Naskar (26 years) is produced before this Court from J/C.

Let the case be registered under POCSO Act.

A bail petition has been filed on behalf of the accused by the Ld. Advocate. Ld. Advocate prays for time to move the bail application. Bail prayer is kept in abeyance.

Defacto complainant is present. One affidavit has been filed by the defacto complainant.

I.O of this case has made prayer for P.C of this accused for 5 days to unearth the actual motive behind the crime for the purpose of investigation of the case.

He has also made prayer for recording statement of the V.G. under section 183 of BNSS.

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

I find no justified ground to allow the prayer for PC. Accordingly prayer for PC stands rejected.

Another prayer of the IO is considered and allowed.

Learned A.C.J.M, Alipore is requested to record the statement of the **victim girl** 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 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.

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Contd... Order No.01 dt. 28.07.2025

The I.O. of this case is directed to produce the victim girl before the Ld. Magistrate for recording her statement.

Accused be remanded to J/C.

To **07.08.2025** for production of the accused from J/C, hearing of bail application and I.O's report.

Return CD.

D/c by me.
Sd/-

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

Sd/-
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2nd A.S.J., Alipore.