

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special Case No. 467/2025
CNR WBSP01-012882-2025

Ref.: Jharkhali Coastal PS Case no: 56/2025 Dated : 04.09.2025
U/s 64(2)(f)/65(1) BNS r.w. Sec.06 of POCSO Act, 2012.

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

Order No.01
Dt. 06.09.2025

Received original record from the Court of the Addl. Chief Judicial Magistrate, Alipore along with relevant documents.

Accused Sanjay Mondal (31 years) is produced before this Court from J/C in person.

One bail application has been filed by the Ld. Advocate for accused appearing from LADCS. Ld. Advocate prays for time to move the application for bail. Defacto complainant is not present in Court. As such the bail prayer is kept in abeyance.

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

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 64(2)(f)/65(1) BNS r.w. Sec.06 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 and conducting his medico-legal examination 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 Sanjay Mondal is remanded to police custody till **11.09.2025**. 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.

Another prayer filed by 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

Contd....

Special Case No. 467/2025
CNR WBSP01-012882-2025

Order No.01 Dt. 06.09.2025

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 statement.

Fix **11.09.2025** for production of the accused person from PC, hearing of bail application and I.O's report.

Let copy of this Order be sent to the Superintendent of Baruipur Central Correctional Home and the CI Bengal Lockup for their information and taking necessary action, if any.

Return CD.

D/c by me.

Sd/-

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

Sd/-

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