

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special Case No.185/19

Ref.:Bishnupur PS Case no:673/19 Dated : 05.09.2019
U/s 120B I.P.C read with section 6 of the Protection of Children from Sexual Offence Act, 2012.
Present : Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

StateVs....Samar Hazra

Order No.04

Dt.30.10.2019

Accused Panchu Hazra is produced from J.C through V.C.S.

Let the part record be kept with the record.

Bail petition of this accused person has been moved by his ld. Advocate.

Copy served. Objection noted.

Ld. Lawyer of accused submits before this Court that this accused person has been falsely implicated in this case. So he prays for bail to this accused person.

Ld. Special P.P opposed the bail petition and submitted that it is initial stage of investigation and I.O is praying for P.C of this accused person for seven days for purpose of investigation.

Heard Ld. special P.P as well as the I.O. Perused the materials on record and case diary. Considered.

On perusal of record, I find that it is a case u/s 120B I.P.C read with section 6 of the Protection of Children from Sexual Offence Act, 2012. It appears from the record that statement of the victim girl has been recorded u/s 164 of Cr.P.C. It appears from the case diary that the medical examination of the victim girl has already been done. It comes out from the record that the principal accused has not yet been arrested and this accused is the uncle of the principal accused and he is named in the F.I.R with the allegation of active participation in the alleged offence. Considered the medical report and the statement of the victim girl along with other materials. Considering the gravity of offence and materials in record, I am not inclined to grant bail to this accused person.

Prayer of the I.O for police custody of the accused is allowed for sake of investigation only till 04.11.2019. Accordingly accused be remanded to P.C till 04.11.2019.

Investigating Officer is directed not to torture this accused person in police custody. He is also directed to get this accused person examined by Government Medical Officer at the conclusively of 48 hrs. He is also directed to obey the guide line of Hon'ble Supreme Court in this regard.

Let a copy of statement of VG recorded u/s 164 of Cr.P.C be supplied to the I.O as prayed for.

The Superintendent of Baruipur Central Correctional Home is directed to hand over the accused Panchu Hazra to the I.O on the Schedule date.

Let a copy of this order be sent to the Superintendent of Baruipur Central Correctional Home for information and necessary action.

To date (i.e 04.11.2019) for production of accused from P.C.

D/c by me.

Sd/-
Sonia Majumdar
Judge, Special Court &
2nd A.S.J., Alipore.

Sd/-
Sonia Majumdar
Judge, Special Court &
2nd A.S.J., Alipore.