

IN THE 2nd COURT OF THE ADDITIONAL SESSIONS JUDGE, ALIPORE

Special ST - 17(03)22

Special Case No.185/19

**CNR - WBSP01-013131-2019**

Present :Manas Ranjan Sanyal (JO Code - WB00666)

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

Alipore, South 24-Parganas.

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28.03.2022

Both the accused persons namely Samar Hazra and Panchu Hazra on interim bail are present by filing hazira.

Today is fixed for consideration of charge.

Learned Special P.P-in-charge and learned Defence Counsel are present.

At this stage a petition has been filed on behalf of both the accused persons praying for confirmation of their interim bail on the ground stated therein.

Copy served to learned Special P.P-in-charge.

Learned Special P.P-in-Charge raises no objection.

Heard both sides. Perused the petition as well as materials on record.

On consideration of the same, I find that there is no adverse report against this accused person. Under such circumstances, the petition filed on behalf of accused persons for confirmation of their A/I bail is allowed. Hence, A/I bail granted to the accused persons namely Samar Hazra and Panchu Hazra are hereby confirmed.

Now the case record is taken up for consideration of charge in presence of both sides.

Learned Special P.P-in-charge opens the case by describing the charges to be framed against the accused person.

Heard both sides. Perused the materials on record and in C.D.

On perusal of the same, I find sufficient materials against both the accused persons namely Samar Hazra and Panchu Hazra under section 363/120B, 366/120B of I.P.C. I also find sufficient materials against accused person namely Samar Hazra under section 06 of the Protection of Children from Sexual Offences (POCSO) Act, 2012. I also find sufficient materials against accused person namely Panchu Hazra under section 21 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

Charge is framed accordingly against both the accused Samar Hazra and Panchu Hazra under section 363/120B, 366/120B of I.P.C on separate sheet of paper and the same is kept with the case record.

A separate charge is also framed against accused Samar Hazra under section 06 of the Protection of Children from Sexual Offences (POCSO) Act, 2012 on separate sheet of paper and the same is kept with the case record.

A separate charge is also framed against accused Panchu Hazra under section 21 of the Protection of Children from Sexual Offences (POCSO) Act,

Contd....

**Contd...Order No.1 dated 28.03.2022**

2012 on separate sheet of paper and the same is kept with the case record.  
The contents of the charges are read over and explained to the accused persons to which each of them pleaded not guilty and claimed to be tried.  
The identity of the 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**. So to prevent the disclosure of the identification of the said victim girl, her name and address are not mentioned in the above said charge form.  
Fix 25.08.2022 for appearance of accused persons and evidence of victim girl.  
Issue summon accordingly.

D/C by me  
Sd/-Manas Ranjan Sanyal  
A.S.J 2<sup>nd</sup> Court, Alipore  
South 24 Pgs

Sd/-Manas Ranjan Sanyal  
Addl. Session Judge  
2<sup>nd</sup> Court Alipore  
South 24 Pgs