

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore

Special Case No.258/2022

CNR – WBSP01-016033-2022

Ref.: Haridevpur PS Case no: 309/2022 Dated : 19.10.2022

U/s 120B/366/342/328/376DA of I.P.C and Sec 6/5(G) of the Protection of Children
from Sexual Offence Act, 2012.

Present :Manas Ranjan Sanyal (JO Code - WB00666)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

StateVs Arup Sengupta @ Putu & Ors

Order No.01

Dt.28.10.2022

Received the case record alongwith F.I.R bearing Haridevpur PS Case no: 309/2022 Dated : 19.10.2022 and other documents from learned Chief Judicial Magistrate, Alipore.

Register the same as Special Case No.258/2022 u/s 120B/366/342/328/376DA of I.P.C and Sec 6/5(G) of the Protection of Children from Sexual Offence Act, 2012.

Six accused persons namely Arup Sengupta @ Putu, Abhisek Singh @ Nikhil Singh, Sanjay Patra @ Kalu @ Raj, Saheb Adhikary @ Madan, Rahul Singh and Amit Ram are produced from P.C. They are taken into judicial custody.

Separate bail petitions have been filed on behalf of the accused Arup Sengupta @ Putu, Saheb Adhikary @ Madan.

CD is not produced.

On prayer of learned Defence lawyer bail petition of accused persons is kept with the case record.

Accused persons are remanded to J.C.

As per order of learned ACJM dated 20.10.2022 the part record is being sent to the Court of learned JM, 5th Court at Alipore for recording statement of VG.

Learned JM, 5th Court, Alipore is requested to record the statement of victim girl u/s 164 Cr.P.C 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.

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

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Supply a copy of the statement to the I.O as and when the same is received.

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 10.11.2022 for production of CD, hearing of bail petition of accused and I.O's report.

Call for CD on 10.11.2022.

D/c by me.

Sd/-Manas Ranjan Sanyal
Judge, Special Court &
2nd A.S.J., Alipore.

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