

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

Special ST - 16(01)2023

Special Case No.272/2022

CNR -WBSP01-016109-2022

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

09  
16.06.2023

Accused **Jakir Hossain Sanfui @ Zakir** is produced from J.C through V.C.S.

Today is fixed for hearing of bail petition of accused.

Heard both sides.

Learned advocate for accused submits that accused is innocent and has been falsely implicated in this case. Vulnerable witness, complainant and other witnesses have already been examined in this case. Accused is in custody since 25.10.2022. Moreover, the accused is 50% handicapped. No bail prayer is either pending or rejected before any higher forum. Accused may be enlarged on bail imposing any terms and conditions.

Learned Special P.P raises objection.

Perused the materials on record especially evidence adduced by the witnesses

I find that allegation against this accused is serious in nature. Moreover, the age of the victim is only 04 ½ years at the time of incident. Defacto complainant is present and submitted that the victim girl is still in trauma due to this incident. So considering the nature of allegation and considering the safety, security and mental condition of the victim and considering that the victim girl is only 4 ½ years old I am not inclined to grant bail to this accused. Accordingly, bail petition of this accused is rejected.

At this stage learned Special P.P-in-Charge files a petition praying for allowing adequate interim compensation to the victim girl payable from the Victim Compensation Fund.

Heard both sides. Perused the petition.

It appears from the record that the accused person of this case forcefully committed rape / aggravated penetrative sexual assault on VG. The VG has already been examined as PW-1 in this case. Considering the testimony of PW-1 (Victim Girl) and other facts and circumstances of this case and the future needs of the victim girl I think that she needs some interim monetary compensation for her rehabilitation, studies as well as repatriation in mainstream of the society.

In view of order passed by the Hon'ble Supreme Court of India in **Nipun**

Contd...

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Contd....Order No.09

16.06.2023

**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 view of provision contained under Clause 9 & 12 of NALSA's Compensation Scheme for Women Victims / Survivors of Sexual Assault/ Other Crimes, 2018** it is hereby directed that an amount of **Rs.1,00,000/- (Rupees one lakhs only)** shall be paid to the victim girl from the Women Victim Compensation Fund / Victim Compensation Fund of the Government of West Bengal as interim relief for her rehabilitation and maintenance.

The Secretary, District Legal Services Authority, Alipore shall take necessary steps for payment of interim compensation to the victim girl from the Women Victim Compensation Fund / Victim Compensation Fund of the Government of West Bengal at earliest.

Let a copy of this order be sent to the Secretary, District Legal Services Authority, Alipore by name in a closed envelope with name and address of the victim girl for payment of interim compensation and necessary compliance.

Fixing **17.07.2023** for evidence of **CSW-8** and **9**.

**18.07.2023** for evidence of **CSW-11** and **12**.

**19.07.2023** for evidence of **CSW-16**.

I.O is directed to bring the witnesses on the date fixed positively.

D/c by me.

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

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