

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

Special ST - 13(12) 21

Special Case No.99/15

CNR - WBSP01-018186-2015

Present : Umesh Singh (JO Code - WB00783)

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

Alipore, South 24-Parganas.

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17.12.2021

Five accused persons namely Bapi Mondal, Krishnapada Mondal, Debla Mondal, Sanjoy Mondal and Sankar Mondal @ Sankar Kr. Mondal on bail are present by filing hazira.

Today is fixed for consideration of charge.

One discharge petition has been filed on behalf of the accused persons namely Krishnapada Mondal, Debla Mondal, Sanjoy Mondal and Sankar Mondal @ Sankar Kr. Mondal.

Learned Special P.P-in-Charge is present.

Learned Defence Counsel is also present.

Heard. Perused the petition and materials in CD.

Prayer for discharge of the accused persons namely Krishnapada Mondal, Debla Mondal, Sanjoy Mondal and Sankar Mondal @ Sankar Kr. Mondal is considered and allowed as there is no incriminating evidence against them.

Accordingly charge sheeted accused persons namely Krishnapada Mondal, Debla Mondal, Sanjoy Mondal and Sankar Mondal @ Sankar Kr. Mondal are discharged from this case. Let their sureties be also discharged from their respective bail bonds.

Now the case record is taken up for consideration of charge against remaining accused person namely Bapi Mondal.

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

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

On perusal of the same, I find sufficient materials against accused Bapi Mondal under section 363/376(2)(i)/506(II) of I.P.C and Sec 06 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

Charge is framed accordingly against accused Bapi Mondal under section 363/376(2)(i)/506(II) of I.P.C and Sec 06 of the Protection of

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(Contd....Order No.1 dated 17.12.2021)

Children from Sexual Offences (POCSO) Act, 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 person in Bengali to which he pleads not guilty and claims 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**. 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 08.04.2022 for appearance of accused Bapi Mondal and evidence of VG.

Issue summon accordingly.

D/C by me
Sd/-Umesh Singh
A.S.J 2nd Court, Alipore
South 24 Pgs

Sd/-Umesh Singh
Addl. Session Judge
2nd Court Alipore
South 24 Pgs