

Special case No. 05 of 2023 ((CIS- 05/2023)

Present: Sri Anirban Das (WB00691)

1st Addl. Sessions.Judge,Sealdah

Order No. 26 Dated: 21.09.2023

The accused Sadia Aziz and Noain Ghani and Suja Nuser Ghani and Sadia Afsa are produced from JC.

The accused Amina Perveen, who is on bail, is present.

Bail petition filed for the accused Sadia Afsa.

Heard Ld. Advocate for the said accused person and Ld. Special PP.

The instant case is a case of trafficking of minor child and its impact is high in respect of the protection of the minor.

I think that if at this stage, any of the accused persons, who are in custody, be released on bail, the trial will be adversely affected.

Accordingly, I am not at all inclined to release the accused person namely Sadia Afsa on bail and prayer stands rejected.

Today is fixed for consideration of charge.

Ld. Special PP is ready to take part of hearing of framing of charge.

On behalf of the accused Sadia Aziz a petition was filed only point that the Ld. Advocate could not prepare himself for non availability of legal important papers and accordingly, prayer was made for one month.

It is very much shocking that at the stage of framing of charge such prayer was made without any documents.

Accordingly, the prayer made on behalf of the accused Sadia Azia is a vague petition and the same can not be accepted and it stands rejected.

D/C by me

ASJ, 1st Court, Sealdah

(Anirban Das)/WB0691
Addl. Sessions Judge, 1st Court,
Sealdah, 24-Pgs.(S).

Special Trial No. 05 (09) of 2023
Special case No. 05 of 2023
Chitpur PS case No. 154 dated 23.12.2021
((CIS- 05/2023)

Order No. 01 Dated: 21.09.2023

The accused Sadia Aziz and Noain Ghani and Suja Nuser Ghani and Sadia Afsa are produced from JC.

The accused Amina Perveen, who is on bail, is present.

The case record is taken up for framing of charge.

Ld. Advocates for the accused persons are present.

Ld. Special PP is present.

Perused the CD and the materials in the case record.

Prima facie case under sections 363/365/370 read with section 120B IPC and section 6 read with section 17 of POCSO Act is made out against the accused person Suja Nuser Ghani.

Prima facie case under sections 363/365/370 read with section 120B IPC and section 17 of POCSO Act is made out against the accused person Sadia Aziz, Noain Ghani, Sadia Afsa and Amina Perveen.

Charge is framed accordingly against the accused persons.

Contents of charge is read over and explained to the accused persons and they pleaded not guilty and claimed to be tried.

Fix **17.11.2023** for evidence of victim.

This court requested the Ld. Advocates for the accused persons to start the case on 07.10.2023 as the accused persons are in custody but the Ld. Advocates for the said accused persons could not accommodate on any date in the month of October, 2023.

Accordingly, the date is fixed after puja vacation.

Issue summons accordingly.

In view of the direction of Hon'ble Supreme Court reported in **(2002) 1 SCC 655** I.O must be present on all days of the trial and to ensure the presence of the witnesses according to schedule. O/C of the concerned P.S must ensure the presence of the witnesses before this court in time and the alamat should be produced in court by the officer-in-charge of Chitpur P.S and Special PP is also requested to instruct the O.C of the concerned P.S accordingly.

Let a copy of this be sent to the D.C. (ND) for giving direction to the IO of this case for regular attendance of the witnesses.

Dictd & Corttd by me

1st A.S.J.,Sealdah

(Anirban Das) WB0691
Addl. Sessions Judge,
1st Court, Sealdah