

In the Court of Special Judge Under POCSO Act(Additional District & Sessions Judge,1st Court), Sealdah, South 24-Parganas
Special Case no 35 of 2024

Order No. 01

dated 04.09.2024

Received the Record including the FIR, Written Complaint, seizure list, zimmanama (in closed envelope), Memo of Arrest, Inspection Memo, check list, and prayers of the I.O. in respect of Beniapurkur P.S. case no 147 dt 04.09.2024 **u/s 74/77/79 BNS Act.** and **u/s 8/12 of POCSO Act.**

Accused **Md. Rahul** is produced before the court.

I.O. of the case has filed an application praying for recording the statement of Victim girl under section 183 of BNSS on the ground assigned thereon. I have examined the said victim girl and she is willing to make her statement judicially under section 183 of BNSS. Accordingly the prayer of the I.O. in respect of recording of the statement of victim girl under section 183 of BNSS is allowed in the interest of the investigation.

Ld. 1st Judicial Magistrate, Sealdah is requested to record the statement of victim girl under section 183 of BNSS with necessary compliance under section 26(4) of POCSO Act.

An application is filed by the I.O. of the case with a prayer for police custody remand till 09.09.2024 for the purpose of reconstruction of crime and pending investigation into this case. Ld. Special P.P. Tapan Roy is present and moved the said application filed by the IO of this case. It is submitted by the Ld. Special P.P submits that for the sake of reconstruction of crime and pending investigation into this case, police custody as prayed for by the I.O be allowed till 08.09.2024 for the interest of justice.

Heard. Considered.

Perused the materials on record.

Considering the submission made by Ld. Special P.P. and nature of the offence as alleged, I am inclined to allow five days' (i.e. from 04.09.2024 to 08.09.2024) Police Custody of the accused namely **Md. Rahul** as prayed for by the I.O.

Accused be sent to the police custody for 5 days and the accused be produced before this Court on **09.09.2024** . While taking in police custody of the accused the IO must observe all legal formalities and guidelines of the Hon'ble Court and shall cause medical test of the accused at the interval of every 24 hours during period of the said police remand and before production of the accused person from the police remand before the Court.

Let a copy of this order be given to the I.O.

On behalf of the accused Ld. Lawyer files fresh vakalatnama and also files a bail petition.

Bail petition will be considered after recording the statement of victim girl u/s 183 of BNSS.

Fix **09.09.2024** for **production of the accused from P.C. & IO's report.**

sd/-

(Anirban Das)/WB00691

Additional District & Sessions Judge,
1st Court, Sealdah

Copy of order be sent :

1. The IO

for information and n/a.

(Anirban Das)/WB00691

Additional District & Sessions Judge,
1st Court, Sealdah