

**POCSO-33/2022**  
**CNR No. WBUD01-001930-2022**  
**J.O. Code- WB00149**

**Order No. 04**  
**Dt.17.06.2023**

The case record is fixed for production and evidence.

Sole accused person Raghunath Roy is produced from JC and remanded back.

Received summons after duly served.

Ld. defence lawyer Mr. Suprabhat Roy has filed a petition stating that he did not get the copies of statement u/s-161 of Cr. PC of CSWs' 8,9 10 & 11 and also the medical report from the end of prosecution though the prosecution was given direction to provide him as per order no-02 Dt. 09.01.2023 and as such he prayed before the court to get him provided the same documents on the ground stated therein.

Heard the submission.

Now, Ld. Defence Lawyer is provided with the same in open court.

The prosecution has filed hazira of two witnesses namely Bani Paul and Apurba Paul who are examined in chief as PW-2 & PW-3 in full and their cross examination is deferred u/s-231 of Cr. PC.

The signature of PW-2 on Written Complaint is marked as **Exbt. P-1/1**.

The signature of PW-2 on Seizure List Dt. 03.07.2022 is marked as **Exbt. P-2/1**.

The Zimmanama is marked as **Exbt. P-3**.

The Photocopy of Birth Certificate of VG is marked as **Exbt. M.O-1**(objected being photocopy).

The signature of PW-2 on Medical Paper is marked as **Exbt. P-4/1**.

The signatures of PW-2 on the recorded statement is marked as **Exbt. P-5/1**.

The statement is marked as **Exbt. P-5**.

The signature of PW-3 on Seizure list is marked as **Exbt. P-2/2**.

The signatures of PW-3 on the recorded statement of PW-3 is marked as **Exbt. P-6/1**.

The recorded statement of PW-3 is marked as **Exbt. P-6**.

A Bail petition is filed on behalf of the above name accused. Copy Served.

Ld. lawyer for the above name accused moved the bail petition on the grounds that the accused is languishing in jail custody since 02.07.2022 and that trial has started with complete examination of PW-1 and evidence of PW-2 & PW-3 in chief .

In support his submission , Ld. Defence Lawyer refers the decision in 2016 Cr. PC P-1477.

On above plea he prays for bail in any condition as the court thinks fit and proper.

Ld. Spl. P.P raised objection and submitted that in view of evidence of PW-1, PW-2 & PW-3 , the accused should be kept behind the prison bar.

Heard both sides.

The judgement referred finds no application in the wake of oral evidence

Perused the evidence of PW-1(Victim Girl), PW-2(Mother of VG & Complainant) & PW-3(father of VG).

The allegations are serious in nature.

Considering all aspect, I do not feel inclined to admit him on bail .

Hence bail petition is considered but rejected.

Fix-**28.08.2023** for production and cross examination of PW-2 & PW-3.

The prosecution to take step accordingly.

To-date for production.

D/C by me,

Judge, Special Court (POCSO),  
Raiganj, Uttar Dinajpur

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Raiganj, Uttar Dinajpur