

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
2ND COURT, PASCHIM MEDINIPUR
ESPECIALLY DESIGNATED UNDER THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT, 2012**

Present :- Mrs. Nabanita Ray
Additional Sessions Judge.
POCSO 29-19.
R.No. 29-19.

Order No. 5 Dated 11.06.2019.

Today a put up petition is filed on behalf of one Esarunnesa Bibi for the custody of the victim Anamika Ray .

Copy served .

I.O S.I Shreyashi Bagchi files two petitions, one is for examining the victim girl Anamika Ray u/s 161 Cr.P.C at Vidyasagar Balika Bhaban and another is for adding section 366A/370/372/376 (2) (I) (n) I.P.C and 6 of the POCSO ACT 2012 and 5 ITP Act.

Perused the case record.

The prayer for adding section 366A/370/372/376 (2) (I) (n) I.P.C and 6 of the POCSO ACT 2012 and 5 ITP Act is considered and allowed.

The further prayer for examination of the victim and recording her statement u/s 161 Cr.P.C is also considered and allowed.

The I.O S.I Shreyashi Bagchi is permitted to examine the victim girl Anamika Ray at Vidyasagar Balika Bhaban and to record her statement u/s 161 Cr.P.C.

The Superintendent Vidyasagar Balika Bhaban is directed to give access of the victim girl Anamika Ray to I.O S.I Shreyashi Bagchi today i.e on 11.06.2019 for her examination by the I.O.

Let a copy of this order be sent to the Superintendent Vidyasagar Balika Bhaban for necessary compliance.

Now the prayer for custody of the victim girl as made by the petitioner Esarunnesa Bibi is taken up for consideration.

Ld. Counsel appearing on behalf of the petitioner submits that the mother of the victim requested her to pray for custody of the victim and in any suitable terms and conditions her prayer for custody of the minor Anamika Ray may be granted in her favour.

Ld. Special P.P strongly opposes to the prayer of the petitioner and submits that the mother of the victim namely Mithu Ray is one of the accused who was also involved in the racket for trafficking of her minor daughter who is still absconding.

Heard parties.

It transpires from the case record that the minor victim Anamika Ray aged about 15 years is presently staying at Vidyasagar Balika Bhaban as both of her parents never come before this Court claiming her custody. Moreover it transpires from the case record that the mother of the said victim is a co-accused of this case and the instant petitioner is not a relative or no way connected with the victim and according to her claim she is a mere neighbour of the said victim.

Since the instant petitioner is neither the natural guardian or legal guardian of the minor victim Anamika Ray, the prayer for custody of the said victim is considered and rejected.

Todate (21.06.2019) for I.O's report.

Dictated & corrected By me,

A.S.J

Addl. Sessions Judge , 2nd Court,
Paschim Medinipur.

**In the Office of Additional District & Sessions Judge, 2nd Court,
Paschim Medinipur.**

Memo No.	Date
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Copy forwarded to the Superintendent Vidyasagar Balika Bhaban necessary compliance.

