

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

**POCSO Case No.182/2023
R.No. 182/2023
CNR No. WBWM01-010846-2023**

**Order No.03
11.03.2024**

Accused **Gulam Mustafa Sana (21 years)** is produced after arrest with forwarding report with prayer for P.C., check-list, arrest memo and inspection memo.

I.O. submitted a prayer for police custody of the accused.

Learned Legal Aid Defence Counsel, Mr. Anupam Jana and Ld. Special Public Prosecutor, Mr. Swarnendu Parial are present.

I.O. is present with the C.D.

The prayer for P.C. and the bail petition filed by the accused are taken up for hearing.

Learned Legal Aid Defence Counsel submits that the P.C. is not required for investigating the case. He has committed no offence. He may be granted bail imposing any terms and conditions.

Learned Special Public Prosecutor submits that reasonable time may be allowed to complete the investigation. This is not the appropriate stage to grant him bail.

After hearing both sides and considering the case diary, this Court is of the view that the accusation against the accused is well founded and at least four (4) days police custody is required to complete the investigation. Bail petition is rejected. The prayer for police custody is allowed for the interest of investigation. Accused **Gulam Mustafa Sana (21 years)** is **remanded to Police Custody for four (4) days**. I.O. is directed to observe the guidelines issued in the case of D.K. Basu versus State of West Bengal and guidelines of National Human Rights Commission regarding police custody. I.O. is directed not to make any kind of torture upon the accused during police custody and provide him medical aid if required and produce him before this Court on **15.03.2024** with medical examination report.

I.O. has also prayed for medico-legal examination of the accused. The prayer of I.O. is allowed.

The Superintendent of the Medinipur Medical College and Hospital is requested to conduct the medical examination of the accused **Gulam Mustafa Sana** by any competent doctor.

Fix **15.03.2024** for production of the accused from P.C..

Dictated & corrected by me,

Special Judge

Special Court under POCSO Act,
Addl. Dist. & Sessions Judge,
2nd Court, Paschim Medinipur.
J.O. Code No. WB00715