

**IN THE COURT OF JUDGE, SPECIAL COURT (POCSO),
(ADDITIONAL DISTRICT AND SESSIONS JUDGE, 2ND COURT),
JHARGRAM
POCSO Case No.-24/2024
(CIS-24/2024)**

State -Versus- Vikash Kumar

Ref: Jhargram P.S Case No. 130/2024 dt. 08/05/2024 u/s 363/365 IPC

Order No. 05
Dt. 29/06/2024.

Sole accused Vikash Kumar on interim bail is present by filing hazira. Accused Vikash Kumar files an application praying for extension of his interim bail.

Today is fixed for hearing of petition dated 26/06/2024 praying for holding medico-legal examination of accused namely Vikash Kumar filed by I.O of this case. Today is also fixed for hearing of petition dated 27/06/2024 praying for cancellation of interim bail order of accused Vikash Kumar filed by I.O of this case.

At first petition dated 27/06/2024 praying for cancellation of interim bail order of accused Vikash Kumar filed by I.O of this case and the application filed by accused for extension of interim bail are taken up for hearing. Ld. Special PP moves the petition submitting that initially case was started u/s. 363/365 IPC and as such interim bail was granted on 06/06/2024 in favour of the accused by Ld. CJM, Jhargram. Subsequently, from the statement u/s. 164 Cr.PC of victim girl it was revealed that accused married her and he did sexual intercourse with her. On 17/06/2024 medico-legal examination of victim girl was done and doctor opined that victim girl is pregnant. Thereafter, Section 4/6 POCSO Act and other sections of IPC and Section 9 of Prohibition of Child Marriage Act were added by the Ld. CJM, Jhargram and this case record was transferred before this court. For further investigation it is necessary to take the accused into judicial custody after cancelling the interim bail of accused. Ld. Lawyer for the accused raises objection against the said petition and submits that interim bail of accused was granted till today and he has appeared today before this court and has prayed for extension of interim bail. As the accused has complied with the order of Ld. Court it is necessary to extend the interim bail of accused after rejecting the petition filed by the I.O. Heard both sides. Considering submission of both sides and on perusal the case record and CD it appears that initially case was started u/s. 363/365 IPC and thereafter Section 4/6 of POCSO Act and other sections of IPC and other Act have been

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added as it has been seen that victim girl is pregnant. It also appears that for the purpose of investigation accused is required to take under judicial custody. Accordingly, prayer for extension of interim bail of accused Vikash Kumar is rejected. Accordingly, accused Vikash Kumar is taken into custody and remanded to J/C till 11/07/2024. Surety is discharged thereby. Accordingly, petition dated 27/06/2024 praying for cancellation of interim bail order of accused Vikash Kumar filed by I.O of this case and the application filed by accused for extension of interim bail are disposed of.

Petition dated 26/06/2024 praying for holding medico-legal examination of accused namely Vikash Kumar filed by I.O of this case is taken up for hearing. Perused the prayer submitted by the IO. The prayer is considered and allowed for the purpose of investigation. The MSVP of Jhargram Medical College and Hospital is directed to cause the medico-legal examination of the accused Vikash Kumar by deputing Medical Officer to conduct the test on the quarries raised by the I.O. in accordance with law.

Superintendent, Special Correctional Home, Jhargram is directed to produce accused Vikash Kumar before the medical authority of Jhargram Medical College and Hospital through I.O of this case for medico-legal examination of the accused.

Let a copy of this order be sent to the MSVP of Jhargram Medical College and Hospital for ensuring medico-legal examination of the accused Vikash Kumar by the medical authority, Superintendent, Special Correctional Home, Jhargram and I.O of this case for information and taking necessary action.

To 11.07.2024 for production of accused and I.O's report.

D/C by me

Spl Judge,

Judge, Special Court
(Addl. Sessions Judge, 2nd Court),
Jhargram