

**In the Court of Learned Judge, Under POCSO Act
Gangarampur at Buniadpur, Dakshin Dinajpur.
Spl. Case No. 01 of 2025
CNR No. WBDD05-000001-2025
J.O Code- WB-00842**

Order No. 32 dated 25-08-2025

Accused **Gopal Chanda, Lilima Roy @ Joya @ Jui Roy and Sumit Das** are virtually produced from the J.C.

Ld. Spl. P.P-in-charge is present four witnesses namely **LSI Papri Saha, ASI Aravinda Sarkar, Pradip Sarkar and Ganesh Ghosh**.

Witnesses namely **LSI Papri Saha, A.S.I Aravinda Sarkar, Pradip Sarkar and Ganesh Ghosh** are examined as P.W.12, P.W.13, P.W.14 and P.W.15 respectively by the prosecution and cross-examined by the defence in full and they are discharged as witnesses in this case.

During the evidence of P.W.13 his signature on the seizure list is marked exhibit P-11(1). During the evidence of P.W.14 signature on the seizure list is marked exhibit P-13 and bill is marked exhibit P-14 and during the evidence of P.W.15 signature on the seizure list is marked exhibit P-13(1).

An application praying for bail of the accused **Gopal Chanda** is filed.

It appears that today is also fixed for hearing bail application filed on behalf of the accused **Lilima Roy @ Joya @ Jui Roy and the accused Sumit Das**.

Defacto complainant and the guardian of the victim are present in Court as the bail applications were served upon them on person.

The bail applications are taken up for hearing.

Heard all sides. Considered.

The Ld. Advocate for the accused persons are pray for bail on the ground of long custody of the accused and the fact that the primary witnesses of the prosecution have already been examined and at present there is no possibility of tampering the evidence as only formal witnesses remain to be examined. It is also submitted that the materials in evidence is not so overwhelming so as to warrant further custody of the accused.

Ld. Spl. P.P-in-charge vehemently objects to the prayer for bail and so does the defacto complainant and guardian of the victim. They state that they are being threatened by the family members of the accused persons.

It appears that the trial of the case is in its fag end with a few of the formal witnesses remaining to be examined also perused the evidence on record specially the evidence of the victim and on the basis of the materials on record I find that it will not be proper to grant bail to the accused at this stage as making statement regarding materials on record would be pre-judging the evidence before the completion of trial and it is not as if the evidence completely exonerates the accused persons from the commission of the offence.

Since, the trial is about to end, I am not inclined to grant bail to the accused at this stage.

Hence, the prayer for bail of accused persons are rejected at this stage specially considering the allegation of threat made before the Court by the defacto complainant and guardian of the victim.

Fix 28-10-2025, 29-10-2025 and 31-10-2025 for production and evidence.

Prosecution is directed to take steps.

Dictated & Corrected by

**Judge, under POCSO Act
Gangarampur at Buniadpur
Dist.- Dakshin Dinajpur.**

**(Melissa Gurung)
(WB-00842)
Judge, under POCSO Act
Gangarampur at Buniadpur.
Dist.- Dakshin Dinajpur.**