

IN THE SPECIAL COURT OF PROTECTION OF CHILDREN FROM
SEXUAL OFFENCES (POCSO), RAMPURHAT, BIRBHUM

Special Case (POCSO) No.35/2020
Mallarpur P.S. case no.88/2020 dt.05.09.2020

Order no.08

11.12.2020 The accd.persons namely Sahabul Sk and Jhalu Sk are produced from J.C. and are remanded to J/C till date.

Today is fixed for production and consideration of charge.

Ld.Special PP and Ld.Defence Counsel are present.

A bail petition is filed by the accd.persons. It is seen by the Ld.Special PP. Let the same be kept with the record.

At this stage, the case record is taken up for consideration of charge.

Heard both sides.

Perused the charge sheet and other materials on record.

Upon consideration of the materials and hearing of both sides, this court is of the opinion that there is sufficient ground for presuming that the accused had committed an offence and accordingly, charge is framed against the accused for the offence punishable u/s 354/34 I.P.C., u/s 25/27 of Arms Act & u/s 12 of POCSO Act.

The contents of said charge are read over and explained to the accused in Bengali and on being asked, he pleaded not guilty by saying - "Ami Nirdosh" (innocent) individually and claimed to be tried.

Fix 01.02.2021 for evidence of c.s.w. no.1 & 2,

02.02.2021 for evidence of c.s.w. no.3 & 4,

03.02.2021 for evidence of c.s.w. no.5 & 6,

04.02.2021 for evidence of c.s.w. no.7 & 8,

05.02.2021 for evidence of c.s.w. no.9 & 10,

06.02.2021 for evidence of c.s.w. no.11 & 12,

08.02.2021 for evidence of c.s.w. no.13 & 14.

Issue summons accordingly.

Prosecution is directed to take step.

I.O. is directed to appear before this court on each date of evidence for securing the attendance of the witnesses.

Let a copy of this order be sent to I.O. of this case through O/C Mallarpur P.S. for information and compliance.

At this stage the bail petition, filed by the accd.persons namely Sahabul Sk and Jhalu Sk, is taken up for hearing on

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Ld.lawyer of the accd.persons submitted that the investigation has been completed and the accd.persons are in custody since 06.09.2020. The accd.persons are innocent. They have been falsely implicated in his case. The charge has already been framed. Thus he prayed for bail.

Ld.Special PP raised objection against the prayer for bail.

Perused the case record and the C.D.

it appears from the case record that the police after completion of investigation submitted charge sheet u/s 12 of POCSO Act along with other sections of I.P.C. and u/s 25/27 of Arms Act. The charge has already been framed and schedule date of trial has been fixed. According to memo of arrest the accd.persons are local residents. Considering all facts and circumstances and keeping in view of the period of detention, I am inclined to enlarge the accd.persons on bail.

Accordingly the accd.persons namely Sahabul Sk and Jhalu Sk each may find bail of Rs.5000/- with two sureties of Rs.2500/- each, subject to the satisfaction of Ld.A.C.J.M. Rampurhat and on condition to appear before the court on each date of hearing.

If on bail, to date (01.02.2021) for appearance of the accd.persons namely Sahabul Sk and Jhalu Sk.

Let a copy of this order be sent to Ld.A.C.J.M. Rampurhat for information and necessary action.

Dictated and corrected
Sd/-Sudipta Bhattacharjee
Judge, Special Court (POCSO)

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Judge, Special Court (POCSO)
Rampurhat, Birbhum