

Special Case No. 11 of 2023 (CIS 11/2023)
Mollarpur P.S Case No.101 of 2023 dated 29-05-2023

Order No.06
04-07-2023

Accused Jogeshwar Let is produced from JC. He is taken into custody and remanded to J.C till date. Ld. Lawyer of accused filed bail petition. Ld. Special PP is also present. Bail moves. Heard. Considered.

Learned Lawyer for the petitioner prays for bail banking upon the detention already undergone by this petitioner. Further submission of Ld. Lawyer for the petitioner is that, the accused is completely innocent and due to political rivalry the present case has been lodged against him who is suffering from various physical ailments and acute patient of Asthma. As such Ld. Lawyer for the petitioner prays for bail at any stringent condition.

On the other hand, Ld. PP-in-charge raised strong objection by pointing out the nature and gravity of the offence and age of the victim.

Considered.

Perused the case record and C.D, specially the statements of victim under Section 164 of Cr.P.C as well as injury report of her. The contents of written complaint if tallied with the medical report then the case of penetration is washed out at this stage. Further the statement of victim girl clearly stated that the victim only kiss her and thereafter she fled away and there is no room to hold if her statement is taken into consideration that there was any penetration in her private part by the finger of accused. In this circumstances the accused is in custody since 30-05-2023 more than one month.

Considering the detention as well as taking notes of the statements of victim u/s 164 of Cr.P.C as well as medical report of victim, I do find that further detention of this petitioner will produce no fruitful result for the investigation as it reached in a considerable progress during last one month. Having considered above, the prayer for bail is considered and allowed.

Accused Jogeshwar Let may find bail of Rs. 2000/= with one registered surety subject to satisfaction of Ld. ACJM, Rampurhat on condition to attend local P.S once in a fortnight till further order or filing charge-sheet.

Let a copy of this order be sent to the Ld. ACJM, Rampurhat and O.C concerned P.S for information.

(Dictated & corrected by me)

Judge, Special Court (POCSO)
Rampurhat, Birbhum

Judge, Special Court (POCSO)
Rampurhat, Birbhum