

S.T. No.04/2021  
Special (POCSO Case No.02 of 2020  
Ref: Faridpur P.S. Case No.04/2020 dt.12/01/2020

Order No.02 dt.09/11/2021

The accused Bablu Kumar Mahato is produced from the correctional Home.

An application for bail is filed on behalf of the accused.

No witness turns up.

The Learned Advocate for the accused moves the application for bail.

Heard the Learned Advocate and the Learned Special PP.

The Learned Advocate for the accused submits that the accused resides within the jurisdiction of the court. He has been in custody since 10/02/2020. Normal functioning of the court has not been resumed due to COVID 19 pandemic. There is no certainty when the trial is complete. The accused if released on bail will attend court regularly.

The Learned Special PP opposes the prayer for bail and submits that charges for the offence u/s-376(3) of the IPC and section 4/6 of the POCSO Act have been framed against the accused.

It is alleged that when his wife had been in the hospital for delivery of her child the accused committed rape on his sister-in-law and impregnated her. DNA profile of the child delivered has matched with that of the accused. The accused betrayed confidence of his wife and in-laws and instead of being the protector of the child became a predator.

Considering the nature and seriousness of the offence alleged and supporting materials in the CD, the prayer for bail is rejected. The accused is remanded to JC till next date.

Trial shall proceed on the following schedule.

To **03/12/2021** for examination of the CSW1.

**04/12/2021** for examination of the CSW3 & 5.

Issue summons to witness accordingly.

D/c by me

Sd/-

Judge, Special Court (POCSO Act)

-cum- ASJ, 1<sup>st</sup> Court, Durgapur

J.O.s' Code No.WB00681

Sd/-

Judge, Special Court (POCSO Act)

-cum- ASJ, 1<sup>st</sup> Court, Durgapur

J.O.s' Code No.WB00681