

ST-01/2021

POCSO-01/2021

Ref: Pandabeswar P.S. Case No.129/2020 dt.26/12/2020

CNR-WBBD090001552021

Order No.30 dt.02/02/2022

The Learned Special PP is present.

No witness turns up.

The Local Bar Association has passed resolution for not passing any adverse order in the absence of any party during COVID-19 pandemic situation.

The accused on c/b Md. Tarik is absent and represented u/s-317 of the Cr.P.C. The accused Bishal Ruidas and Roshan Paswan are virtually produced from the correctional home.

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

The complainant is present.

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

Heard the Learned Advocate for the accused and the Learned Special PP.

The Learned Advocate for the accused submits that the accused has been in custody since 27/12/2020. Trial is yet to be completed. Out of 18 witnesses 11 have been examined. In the pandemic situation there is no certainty when the trial will be completed. The accused is a local person having a fixed place of residence. There is no chance of his absconsion. If released on bail he will attend court on each date.

The Learned Special PP opposes the prayer for bail and submits that the accused is specifically named in the FIR. The witnesses including the victim child have supported the prosecution case and corroborated the allegations made against the said accused.

It is alleged that the said accused Bishal Ruidas with other two accused persons committed penetrative sexual assault / rape on a mentally retarded child in an abandoned house while she went out in the evening to purchase a cake from the nearby shop. Prosecution witnesses so far examined have supported the prosecution case.

Considering the nature and seriousness of the offence alleged and supporting evidence, the prayer for bail is rejected. The accused Bishal Ruidas and Roshan Paswan are remanded to JC till next date.

To **03/03/2022** for further evidence.

Issue summons to witness as per requisition of the Learned Special PP.

To date for production of the accused in JC and appearance of the accused on bail.

D/c by me

Sd/-

Judge Special Court (POCSO Act)
-cum- ASJ, 1st Court, Durgapur
J.O. Code No.WB00681

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