

Special (POCSO) Case No.-01/2021

Order No.33 dt.31/05/2022

The accused on C/B Md. Tarik is present by filing hazira.

Two other accused persons namely Roshan Paswan and Bishal Ruidas are produced from the correctional home.

No witness is present.

It appears that the Learned Special PP has not submitted written up summons to witness for issuance by the court. Record reveals that on the previous day also no witness is present and it was found that the Learned Special PP submitted no written up process under rule 96(1) of the Criminal Rules & Orders. The Learned Special PP is once again directed to take necessary steps for attendance of the witness on the next date.

The learned Advocate for the accused Roshan Paswan does not move the bail petition filed on 18/05/2022. The petition being not moved is rejected.

The learned Advocate for the accused Bishal Ruidas files an application for transferring the case to J.J.B. claiming that he has been a child at the time of commission of the offence.

Heard.

On perusal of the record it appears that the court made an inquiry in this regard previously and turned down the plea of juvenility by order No.1 dt.11/01/2021. So the present petition is misconceived one and rejected.

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

Heard.

Successive bail petitions filed by the accused have been rejected. During evidence the witnesses made accusation against the accused. It is alleged that a mentally retarded child was ravished by the accused persons.

Considering the nature and seriousness of the offence alleged and evidence adduced so far by the prosecution, the prayer for bail is rejected.

To 08/06/2022 for appearance of the accused on bail and production of the two accused in J/C and further evidence.

D/c by me

Sd/-

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

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