

Present : Mohd. Aqil Saifi [J.O. Code-WB01310]
Additional Sessions Judge 1st Court, Durgapur
Special (POCSO) Case No.-12/2020 (R.12 of 2020)
(Ref: Kanksa PS Case No.95/2020, dt.05.05.2020)

Order No.63
28.11.2025

Accused Sahadev Ghorui is physically produced before this court.

Ld. Advocate for the accused and Ld. Special PP along with defacto complainant are present.

Today is fixed for appearance of the defacto complainant, production of CD and hearing of the bail petition.

One vokatnama is filed on behalf of the accused.

Let the vokatnama be kept with the record.

Along with the vokatnama, the Ld. Advocate has also filed certain xerox copies of medical documents in connection with the disease cancer of the accused.

Let all the documents be kept with the record.

CD is produced.

Now the bail application is taken up for hearing and passing order.

Ld. Advocate appearing for the accused submits that the petitioner is innocent and has falsely been implicated in this case. Ld. Advocate further submits that the petitioner is a local person and there is no chance of his absconsion and he is in custody since 28.10.2025 and the Ld. Advocate further submits that accused is a patient of cancer and he was to go for surgery in between November, but the accused is arrested on 28.10.2025 and he is in custody and now he is to undergo operation for his cancer and on these grounds the Ld. Advocate prays for enlarging the accused on bail on any term and condition.

The Ld. Special PP leaves the matter with the discretion of the court.

Defacto complainant has no objection if the bail is granted to the accused.

Perused the material available on record and CD.

It is transpired from the record that vide order no.42 dated 15.04.2024 the case against the accused was Filed for the Present

Contd.....

(Contd.....dt.28.11.2025)

and it is further transpired that vide Kanksa P.S. started a case vide Kanksa P.S Case No.95/2020, dt.05.05.2020 under section 376(1)/328/292 of IPC and under section 4/8/12 of POCSO Act and after completion of investigation, charge sheet under section 376(2)(n)/328/292/506 of IPC and under section 4/6/12 of POCSO Act was filed showing the accused as absconder and he was produced before this court under arrest on 28.10.2025.

Perusal of the medical documents submitted by the accused shows that he was advised for surgery and his surgery was scheduled in last week of November, 2025 but in between the accused has been arrested by the police.

Considering the facts and circumstances in totality and the medical condition of the accused and no objection of the defacto complainant, I am inclined to grant bail to the petitioner.

Accordingly, the bail petition of petitioner Sahadev Ghorui is allowed.

Hence, it is,

ORDERED

that petitioner **Sahadev Ghorui** may find bail of **Rs.8,000/- with two registered sureties of Rs.4,000/- each** subject to the satisfaction of Ld. ACJM, Durgapur.

Let a copy of this order be sent to the Ld. ACJM, Durgapur for information.

Return CD.

Fix 11.12.2025 for production of the accused, if in J/C otherwise appearance and purpose already fixed.

Dictated & corrected by me,

Sd/-
Judge Special (POCSO) Court cum
Additional Sessions Judge,
1st Court, Durgapur.

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Judge Special (POCSO) Court cum
Additional Sessions Judge,
1st Court, Durgapur
J.O.Code-WB01310.