

Present : Mohd. Aqil Saifi (WB01310), Addl. District Judge,
1st Court, Durgapur, Paschim Bardhaman

Special (POCSO) Case No.12 of 2025

(Reg. No.12/2025)

(Arising out of Andal P.S. Case No.100 of 25 dated 26.03.2025)

Order no.10

21.05.2025

Accused Pintu Das @ Amitya Das is produced from J/C through video conferencing.

Ld. Advocate of the accused as well as Ld. Special PP in-charge along with defacto complainant are present in Court.

Today the record was fixed for production of CD and hearing of bail petition.

CD is produced and objection is also filed by the defacto complainant.

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

Ld. Advocate for the accused submits that the petitioner is innocent and has falsely been implicated in this case. Ld. Advocate further submits that the petitioner has no role to play in this case and that the case is founded on the concocted story and also submits that the petitioner is a local resident and there is no chance of his absconsion and also submits that the petitioner is in custody since 27.03.2025 and as such the Ld. Advocate prays for enlarging the accused on bail on any terms and conditions.

The Ld. Special PP in-charge and the defacto complainant objected to the grant of bail.

Perused the material available on record and CD.

Perusal of the record shows that on 26.03.2025 the VG of this case lodged a written complaint with the O/C Andal P.S. and on the basis of the written complaint Andal P.S has started a case under section 126(2)/74/76/77 of BNS against the petitioner and thereafter section 4 and 6 of POCSO Act were added. The VG in her statement recorded u/s 183 of BNSS has stated that when she was aged 15 years and at that time she came into contact with the petitioner and love affair developed between them and later on she found that the petitioner was involved with other girl and as such she got married to the boy of the choice of her family members. Thereafter the petitioner has started threatening the VG that he will make photographs of their intimate moments viral on social media and under this pretext, the petitioner compelled the VG to have sexual relationship with him and as such under pressure the VG was forced to have sexual relationship with the present petitioner.

Contd...

(Contd...order no.10 dt. 21.05.2025)

It is further transpired from the record that the investigation of the case has not been completed.

Considering the material available on record, seriousness of the allegation, the gravity of the offence and the crucial stage of the investigation, I am not inclined to grant bail to the petitioner.

Accordingly, the bail petition of petitioner Pintu Das @ Amitya Das is rejected.

Return CD.

Fix 04.06.2025 for production of the accused and I.O's report.

Accused is remanded to J/C till 04.06.2025.

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.