

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

Special (POCSO) Case No.11 of 2025

(Reg. No.11/2025)

(Ref: Kanksa PS Case No.81/2025 dt.30.03.2025)

Order no.16

14.07.2025

Accused Sanjay Sharma is produced from J/C on virtual mode through video conferencing.

Accused persons Sashikanta Das and Ankit Goutam @ Das on **CB** are present by filing hazira.

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

At this stage, the Ld. Advocate for Sanjay Sharma has moved an application for bail.

CD is available with the Ld. Special P.P.

The defacto complainant has filed written objection to the grant of bail and has also filed letter from the Ld. Advocate stating about the pendency of application u/s 483(3) of BNSS before the Hon'ble Court icw accused Sashikanta Das.

Let the same be kept with the record.

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

Ld. Advocate appearing for the accused/petitioner submits that the accused is innocent and has been falsely implicated in this case. Ld. Advocate submits that the present petitioner has no role in this case as on 23.03.2025 the VG was with another accused of this case and the present case is the outcome of love affair between the VG and another accused of this case. He further submits that the charge sheet has already been filed in this case and the accused has voluntarily surrendered before this court on 30.06.2025 and since then he is in custody and as such prays for bail of the accused/petitioner on any terms and conditions.

The Learned Special PP in-charge and defacto complainant raise objection against the bail prayer of the petitioner.

Heard all sides.

Perused the CD and material on record.

From the perusal of the written complaint it transpires that on 23.03.2025 the VG left house by saying that she would go to see circus but

Contd...

(Contd...order dated 14.07.2025)

she did not return after the evening and in the mean time one phone call was received from another accused of this case with whom VG is stated to be in love that the VG was staying with him and on the next morning VG would return to her home. It is further transpired from the complaint that later on 23.03.2025 when abdomen pain of the VG started then her mother advised her to go to the doctor and on hearing that, the VG stated that on 20.12.2024 at about 8:30 p.m the present petitioner took the VG to his house on promise to buy a new mobile phone and raped her and on 24.12.2024 the present petitioner again called the VG to his house and when the VG did not agree to go, the petitioner threatened the VG and forcibly took her to his house and again raped her forcefully. The statement of the VG was recorded u/s 183 BNSS where she also narrated the same version of commission of rape upon her by the present petitioner.

In the light of discussion made above and considering the facts and circumstances of this case in totality, I am not inclined to grant bail to the petitioner and hence prayer for bail of the accused/petitioner namely Sanjay Sharma is **rejected**.

Return the C.D.

At this stage, one prayer for medico legal examination of the accused Sanjay Sharma is filed.

The Ld. Special PP in charge moved the application.

Perused the prayer and material on record. Considered.

The prayer for medico legal examination of the accused Sanjay Sharma is allowed in the interest of investigation.

The Superintendent SD Hospital, Durgapur is requested to make necessary arrangement for medico legal examination of accused Sanjay Sharma.

I.O is directed to produce accused Sanjay Sharma before doctor of SD Hospital, Durgapur for medico legal examination of the accused Sanjay Sharma.

Superintendent, Sub-correctional home, Durgapur is directed to render all sorts of co-operation to the I.O.

Contd...

(Contd...order dated 14.07.2025)

Fix 28.07.2025 for production of the accused Sanjay Sharma from J/C and appearance of Sashikanta Das and Ankit Goutam @ Das and further proceedings.

Accused is remanded to J/C till 28.07.2025.

Dictated & corrected by me,

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

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