

Present : Mohd. Aqil Saifi (WB01310), Addl. District Judge,
1st Court, Durgapur, Paschim Bardhaman
Special (POCSO) Case No.21 of 2025
(Reg. No.21/2025)
(Arising out of Kanksa P.S. Case No.130 of 25 dated 16.05.2025)

Order no.23
26.08.2025

Today the accused is produced from J/C before this court through video conferencing.

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

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

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 17.05.2025. The Ld. Advocate further submits that there is contradiction in the FIR as well as statement recorded u/s 161 of Cr.P.C and also submits that the age of the VG is doubtful and no age proof is seized in this case and on these grounds the Ld. Advocate prays for enlarging the accused on bail on any term and condition.

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

Perused the material available on record and CD.

It is transpired from the record that father of the VG has lodged a written complaint with the I/C Kanksa P.S. stating therein that today i.e. on 15.05.2025 at about 11:00 hours in his absence and in his wife's absence, the accused entered into their house and made physical relation with his daughter aged about 17 years and at that time his daughter was alone at her home and on returned they found that their daughter was crying and she disclosed the matter to them and on the basis of a case u/s 64(2)(m)/351(2) of BNS and under section 4/6 POCSO Act was started and after completion of investigation, charge sheet u/s 64(2)(m)/351(2) of BNS and under section 4/6 POCSO Act was filed. The contents of the complaint were corroborated by the statement of VG recorded u/s 183 of BNSS.

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

Accordingly, the bail petition of petitioner Lakhiram Hembram is rejected.

Return CD.

Fix 09.09.2025 for production of the accused and consideration of charge.

Accused is remanded to J/C till 09.09.2025.

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.