

Special (POCSO) Case No.20/2021
Ref: Durgapur(W) P.S. Case No.37/2021 dt.15/08/2021
CNR-WBBD090009962021

Order No.03 dt.27/08/2021

The accused Sudip Badyakar @ Potu is not produced physically from the correctional home but custody warrant is received. The Controller, Durgapur Sub-Correctional Home reports that the accused could not be produced due to COVID-19 vaccination programme.

An application for bail is filed on behalf of the said accused person. Fresh vokalatnama is filed on behalf of this accused. Let it be kept with the record.

Heard the Learned Advocate for the accused and the Learned Special PP.

Perused the bail petition, the case diary and the case record. Considered.

The Learned Advocate for the accused submits that the accused has been falsely implicated. He is innocent.

The Learned Special PP raises no objection regarding bail prayer of the said accused person.

Initially the case was started for the offence u/s-363/365/506/34 of the IPC. Subsequently section 12 of the POCSO Act was added on the prayer of the IO of the case. The child has been recovered. It appears from the CD that the IO has examined several witnesses and collected statement of the child made before the Learned Magistrate.

Considering the facts and circumstances of the case and materials on the CD including statement of the child made us/-164 of Cr.P.C., prayer for bail is allowed.

The accused Sudip Badyakar @ Potu may find bail of Rs.2,000/- with one registered surety of the like amount, subject to the satisfaction of the Learned ACJM, Durgapur, i/d to JC till next date. CD be returned.

If on bail to 09/11/2021 for appearance of the accused person and IO's report.

D/c by me

Sd/-

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

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