

Special (POCSO) Case No.-29/2021
Ref: Andal PS Case No.345/2021 dt.01/12/2021
CNR-WBBD090016272021

Hybrid mode

Order No.12 dt.10/02/2022

Pursuant to the notice u/s-439(1A) of the Cr.P.C. the complainant is present. She is identified by the Learned Special PP.

The Learned Special PP and the Learned Advocate for the accused are present.

A petition for bail is filed by the accused.

It appears from the record that on 08/02/2022 the accused made a petition for bail which has been fixed for hearing on this day.

The Learned Advocate for the accused moves the petition for bail.

Heard.

Perused the materials on record and in the CD.

The Learned Advocate for the accused submits that the petitioner is the only child of his parents. His widowed mother died on 04/02/2022. He could not attend her funeral. The Learned Advocate prays for releasing the accused on bail to enable him to perform *Shradh* ceremony of his mother.

The Learned Special PP leaves the matter to the discretion of the court.

The accused has been charge sheeted for the offence u/s-376(2) (f)/376(3) of the IPC and 4/8 of the POCSO Act.

It is alleged that the accused committed penetrative sexual assault within the meaning section 3 of the POCSO Act on the child who happens to be his student. However, considering the fact of death of the mother of the accused, I intend to release the accused on interim bail to enable him to perform the *Shradh* ceremony.

The accused Anandamoy Mondal may find interim bail of Rs.5,000/- with two registered sureties of Rs.2,500/- each, to the satisfaction of the Learned ACJM, Durgapur till 21/02/2022 with condition to surrender before this court o **21/02/2022**.

To date (21/02/2022). Returned the CD.

Let a copy of this order be sent to the Learned ACJM, Durgapur for information and necessary action.

D/c by me

Sd/-

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

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