

Order No. 07
Dated 10.08.21

Sole accused namely Pranab Das on AI bail is present with hazira.

A petition along with fresh V.nama has been filed on behalf of the accused person praying for withdrawal of condition imposed upon him at the time of granting AI bail to him vide order dated 29.01.21.

Heard both the sides. Perused the materials on record. Considered.

On perusal of the order no. 5 dated 29.01.21, it appears that it was Id Defence lawyer himself who vouched before this Court on behalf of the accused person in case the accused person is granted bail, he would reside at his matrimonial house within jurisdiction of Purulia town PS. No change in circumstances has been reported in regard to that submissions made by the Id Defence lawyer before this Court and acting inter-alia upon such submissions of Id Defence lawyer, this Court considered the issue of grant of bail in favour of the accused person.

In this case, evidence of the survivor child is yet to be recorded. Amongst other allegations raised against the accused person, there is allegations that he threatened the survivor child of committing penetrative sexual assault upon her. Both the sides reside at same locality. Even if submissions of Id Defence lawyer to the effect that the accused person has his children – is accepted, then the other side of coin would show that the survivor child also happens to be a daughter of someone else.

Considering all the above facts and circumstances and crucial stage of trial in this case, this Court is not inclined to withdraw the conditions imposed upon the accused person vide order dated 29.01.21 in this case and accordingly, petition submitted by the accused person to that effect stands rejected.

AI bail granted to the accused is extended till next date under same condition in the interest of justice.

Fix 10.09.2021 for evidence of the survivor child and appearance of the accused person.

Prosecution to bring witness.

Dictated & Corrected

Judge, POCSO Court, Bankura

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