

POCSO Case No. 27 of 2024

Present :- Nayyar Azam Khan, ADJ 1st Court (NDPS) , Sadar Cooch
Behar, in charge of Addl. District & Sessions Court,
2nd Court Cum (POCSO Court),Cooch Behar.

Order No. 08, dated 13.08.2024 :-

Today is fixed for production, hearing bail petition and copy

Accused Rabiul Rahaman is produced from J/C.

Ld. PO is on leave. I am in charge of this Court.

Ld. Advocate for the accused/petitioner and Ld. Special PP on behalf of the State are present.

Bail petition filed on behalf of the accused Rabiul Rahaman is taken up for hearing and order.

Heard the Ld. Advocates. Considered.

Ld. Advocate on behalf of the accused submits that the accused has falsely been implicated in this case which will be revealed at the time of trial. He further submits that investigation is already over and has prayed for enlarging him on bail on any condition on the ground of long detention. Ld. advocate further submits that no bail petition is filed or pending before any higher forum and furnished affidavit to that effect.

Ld. Special PP on behalf of the state opposed the prayer for bail, contending inter alia that the VG is a 16 years old girl and charge sheet has already submitted against the present accused citing him to be principal one, committing offence u/s 6 of POCSO Act.

Perused the written complaint, Charge sheet, statement recorded U/s 161 & 164 Cr.P.C., medical report and other relevant document available on the CD and case record. It transpires from the case record that its a case U/s 6 of the POCSO Act where the investigation is over and the matter is otherwise ready for proceeding.

Considering the materials on record and nature & gravity of the offence, I find at this stage the presumption u/s 29 & 30 of the POCSO Act goes against the accused, Rabiul Rahaman. Hence, the prayer for bail stands rejected.

Copy is ready and supplied to the accused.

Fix **29.08.2024** for production/appearance if on bail and consideration of charge.

Accused remanded to J/C till 29.08.2024.

Dictated & Corrected,

Judge POCSO Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C

Judge POCSO Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C
JO Code No. WB01302