

POCSO No. 31 / 2024

Reg. No. 31 / 2024

Order No.08 dtd. 04.11.2024

Accused person namely **Papu Roy** is produced from JC. He is taken into custody and remanded to JC till 16.11.2024.

The Ld. Advocate for the accused, the Ld. Spl. PP and Ld. Advocate for the de facto complainant are present.

Bail petition has been filed on behalf of the accused person. CD has been produced.

It is submitted by the Ld. Advocate for the accused that the accused person is in custody since 23.09.2024 and the investigation of the case has proceeded to a great extent and now further detention of the accused person is not necessary and accordingly he has prayed for bail.

On the other hand Ld. Spl. PP raised strong objection to the bail prayer of the accused person and it is submitted that there are materials in the CD against him and at this stage he should not be enlarged on bail.

Ld. Advocate for the de facto complainant also raised objection to the bail prayer of the accused. It is submitted that the family members of the accused have threatening the victim and her family members in various manners and if the accused is enlarged on bail that may create psychological pressure upon her. Accordingly, Ld. Counsel has also prayed for rejection of the bail prayer.

I have heard both the parties at length and have gone through the CD. It appears from the CD that there is no development in the investigation since 05.10.2024. I have perused the statement of the VG recorded u/s. 183 of BNSS as well as u/s. 180 BNSS. I have also perused the medical examination report of the VG. The CD does not reflect that any of the alleged threats given to the VG or her family members by the family members of the accused have been mentioned by the IO. There is nothing to suggest that those threats have been reported to the police. When there is no development in the investigation for last one month, this court does not find any justification in keeping the accused behind the bars particularly when allegations of threats by the family members of the accused have not been reported to the police. In such circumstances, this court is of the view that the accused can be enlarged on bail. Accordingly, the accused **Papu Roy** may find bail of Rs.5,000/- with two sureties of Rs.2500/- each to the satisfaction of Ld. ACJM, Bishnupur on condition that he shall not make any attempt to communicate with the VG or her family members in any manner whatsoever either personally or through any of his family members and he shall meet with the IO once in every fortnight till further order.

Let a copy of the order be sent to Ld. ACJM, Bishnupur.

Fix – for 16.11.2024 for IO's report and appearance of the accused.

CD be returned.

D/C by me

Spl. Judge under POCSO Act.
Bishnupur, Bankura.

Spl. Judge under POCSO Act.
Bishnupur, Bankura.