

Special Case 15/2022
CNR no-WBBK090001742022

In connection with Khatra P.S. Case No. 33 of 2022 dated 25.06.2022
u/s 376(3) of IPC read with section 6 of POCSO Act.

Order No. 14
Dated 15.12.2022

Today is the date fixed for hearing of the bail petition dated 08.12.2022 filed on behalf of the accused person namely Bijoy Kumar Hembram.

Ld. Advocate for the accused person is present.

Ld. Special Public Prosecutor of this case namely Susanta Sinhababu is present.

Ld. Advocate for the accused person has submitted that this accused person is in custody since 25.06.2022. He has further submitted that this accused person has been falsely implicated in this case. He has further submitted that from the recorded statement U/s 164 Cr.P.C of the victim father and wife of accused person it is clear that, no any such incident was happened as alleged by prosecution. He has further submitted that from the recorded statement under section 164 Cr.P.C of victim and recorded statement U/s 161 Cr.P.C of the victim it is clear that mental status of victim was good just after the incident. He has further submitted that none of the independent witnesses supported the allegation against this accused person. He prays for enlarging this accused person on bail on any conditions.

Ld. Special Public Prosecutor of this case has vehemently opposed the bail prayer of this accused person, and submitted that from the recorded statement of the victim U/s 164 Cr.PC and injury report it is clear that there are serious allegations against the accused person. He prays for rejecting the bail prayer of this accused person.

I have heard the submissions of the Ld. Advocate for the accused person and the Ld. Special Public Prosecutor of this case, and perused the records including CD. From the recorded statement U/s 164 Cr.P.C of the victim, it is revealed that allegation against this accused person is very serious. From the medical examination report of the victim, it is clear that hymen of the victim was ruptured. From the record, it is revealed that the bail petition of this accused person was lastly rejected by this court on 16.07.2022. Considering the materials on record, specially the contents of recorded statement U/s 164 Cr.P.C of the victim and seriousness of allegation against this accused person, I am of the view that it will not be justified to enlarge this accused person on bail at this stage, hence the bail petition dated 08.12.2022 filed on behalf of accused person is rejected, in corollary the accused person is remanded to J/C till next date fixed.

Let CD be returned.

To date (18.01.2023) for production of accused person and prosecution evidence.

D/C by me.

Judge, Special Court
Khatra, Dist.- Bankura

Judge, Special Court
Khatra, Dist.- Bankura
(Under POCSO Act)
J.O. Code WB01399