

Special case no. 04 of 2021

CNR no. -WBBK090000872021

Order No. 06

Dated 11.06.2021

Today is the date fixed for production of the accused person and hearing of the bail petition dated 24.05.2021 filed on behalf of the accused , Nayan Garai.

Accused person is not produced as he is suffering from COVID-19.

On consent of all the parties, hearing of this bail petition is taken up through virtual mode.

Ld. Advocate for the accused person is present.

Ld. Special P.P In-charge is present.

Ld. Advocate for the accused person has submitted that this accused person has been falsely implicated in this case. He has further submitted that there is no any material supporting the allegations against this accused person. He prays for bail of this accused person on any condition.

Ld. Special P.P In-charge has vehemently opposed the bail prayer of this accused person, and submitted that recorded statement U/s 164 of the Cr.P.C of the victims fully corroborate the allegations against this accused person. He has further submitted that this accused person is father of the victims, and allegation against this accused person is very serious that impact the society. He prays for rejection of the bail prayer of this accused person.

I have heard the submissions of the Ld. Advocate for the accused person and Ld. Special P.P. In-charge and perused the records including CD. From the contents of FIR, it is revealed that allegations against this accused person is very serious. From the recorded statement U/s 164 of the Cr.P.C of the victim, it is revealed that it corroborates the allegation against this accused person. Considering that in this case, charge-sheet has not yet been filed and investigation is still continuing, and seriousness of the allegations against this accused person, I have the view that it will not be justified to enlarge this accused person on bail at this stage, hence the bail petition dated 24.05.2021 filed on behalf of the accused person is rejected, in corollary the accused person is remanded to J/C till next date fixed.

Fix 22.06.2021 for production of the accused person and I.O. report.

Let the CD be returned.

Dictated and corrected
by me

Judge, Special Court
Khatra, Dist.- Bankura.
(Under POCSO Act)
(J.O. code WB01399)
11.06.2021.