

**Special Case 12/2022**  
**CNR no-WBBK090001052022**

**In connection with Indpur P.S. Case No. 34 of 2022 dated 04.05.2022  
u/s 363/365/376(2) (n) of IPC and section 6 of POCSO Act.**

**Order No. 35**  
**Dated 05.10.2023**

Today is the date fixed for hearing of the bail petition dated 20.09.2023 filed on behalf of the accused person namely Sadhan Bauri.

Ld. Advocate for the accused person is present.

Ld. Special Public Prosecutor namely Sri Jayanta Patra of this case is present.

Ld. Advocate for the accused person has submitted that this accused person is in custody since 05.05.2022 and till today only two witnesses have been examined out of twenty six charge-sheet witnesses in this case. He has further submitted that, this accused person has been falsely implicated in this case. 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. He has further submitted that, at the time of incident the victim was minor and this accused person impregnated the victim and a male child was born. He has further submitted that, I.O. of this case has taken steps for DNA profiling of the accused person, victim and born child and report of the same is awaited. He has further submitted that in this case two witnesses have been examined including victim girl and both have supported the prosecution case. He has further submitted that the allegations against this accused person are very serious. 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 records it is revealed that in this case charge was framed against this accused person on 13.07.2022 and after that this court has fixed 25.08.2022, 03.11.2022, 15.12.2022, 07.02.2023, 02.03.2023, 21.04.2023, 26.04.2023, 03.05.2023, 10.05.2023, 28.06.2023, 05.07.2023, 11.07.2023, 15.07.2023, 01.09.2023, 11.09.2023, 20.09.2023, and 28.09.2023 for the prosecution evidence but till today only two witnesses have been examined out of twenty six charge-sheet witnesses. From evidences of witnesses examined so far, it is clear that they have supported the prosecution case substantially. It is fact that in this case till today only two witnesses have been examined despite fixing of the dates for prosecution evidence on 25.08.2022, 15.12.2022, 07.02.2023, 02.03.2023, 21.04.2023, 26.04.2023, 03.05.2023, 10.05.2023, 11.07.2023, 15.07.2023, 01.09.2023, 11.09.2023 and 20.09.2023 due to several reasons including cease work by the Ld. Advocates of Local Bar Association.

Considering the materials on records, specially the evidence of victim and seriousness of allegations against this accused person revealed from the materials on records, 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 20.09.2023 filed on behalf of accused person is rejected, in corollary the accused person is remanded to J/C till next fixed.

Let CD be returned.

To date (23.11.2023, 01.12.2023, 06.12.2023 and 15.12.2023) 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