

**Special Case 12 of 2021**  
**CNR-WBBK090002612021**

In connection with Hirbandh P.S. case number 47 of 2021 dated 28.11.2021 u/s 363/366/376 of IPC & 4 POCSO Act.

**Order No. 49**  
**Dated 16.02.2024**

Today is the date fixed for hearing of the bail petition dated 07.02.2024 filed on behalf of the accused person namely Buddhadeb Sahana.

Ld. Advocate for the said accused person is present.

Ld. Special P.P. of this case is present.

Ld. Advocate for the said accused person has submitted that this accused person has been in custody since 05.12.2021. He has further submitted that, in this case 9 witnesses have been examined and out of those 9 witnesses most of the witnesses have not supported the prosecution case. He has further submitted that, there was romantic relation between the accused person and the victim. He has further submitted that, from the cross examination portion of the victim it is revealed that, victim also does not support the prosecution case. He has further submitted that, in this case all the material witnesses have been examined and there is no requirement of further detention of 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 this accused person bail petition was rejected by the Hon'ble High Court, Calcutta in CRM (DB) 3329 of 2022 on 28.09.2022. He has further submitted that, in this case victim has supported the prosecution case substantially during evidence. 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 said accused person and Ld. Special P.P. of this case and perused the records including CD. From the records, it is revealed that in this case victim has been examined as PW 1, and she has supported the prosecution case substantially. From the records, it is revealed that in this case there are 19 charge-sheet witnesses, and out of that 9 witnesses have been examined.

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From the records, it is revealed that the bail petition of this accused person has been rejected by the Hon'ble High Court, Calcutta on CRM (DB) 3329 of 2022 on 28.09.2022.

With the above observations, and considering the materials on record specially the evidence of PW 1 victim, and seriousness of allegations 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 07.02.2024 filed on behalf of the accused person namely Buddhadeb Sahana is rejected, in corollary this accused person is remanded to J/C till next date fixed.

Let CD be returned.

To date (22.02.2024) for production of the accused person and prosecution evidence.

D/C by me.

Judge, Special Court

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