

**POCSO Case No. 02 of 2024**

**Present :- Sri Mukul Kumar Kundu,  
Additional District & Sessions Judge,  
3<sup>rd</sup> Court, Sadar, Cooch Behar,  
In-Charge of Judge Spl.(EC Act)-Cum-  
Addl. Dist. & Sess. Judge, 2<sup>nd</sup> Court, Cooch Behar.**

**Order No.03, dt. 17.01.2024 :-**

Today is fixed for production and I.O's report.

Both the accused persons namely, Najir Hossain and Faijar Hossain @ Firoj Islam are produced before the court from J/C and further remanded to J/C till 31.01.2024.

A bail petition is filed on behalf of accused Najir Hossain praying for bail on the ground stated therein but no bail petition is filed on behalf of accused Faijar Hossain @ Firoj Islam.

Ld Special P.P in charge and Ld Defence Counsel are present.

Now the bail petition filed on behalf of accused Najir Hossain is taken up for hearing in presence of both sides.

Heard both sides.

Ld Advocate for the accused Najir Hossain submits that accused is no way connected with this case and he is languishing jail since long. He further submits that FIR was lodged after lapse of some days without any explanation of delay and the accused is an aged person who has his hearth and home within the jurisdiction of this court. Therefore if the accused is enlarged on bail he will not flee away and face the trial.

Ld Special P.P in charge raised strong objection in granting bail to the accused on the ground that there is materials in the case diary against the accused and victim girl of this case is 15 years.

Perused the case diary and other materials on record.

On perusal of the case diary as well as statement of the victim girl recorded u/s-164 Cr.P.C it appears that there is sufficient materials for the alleged offence against the above accused and the investigation is in progress. Therefore the bail prayer of the above accused may not be allowed.

Considering the facts and circumstances of the case and nature and gravity of the alleged offence I am not inclined to enlarge this accused on bail at this stage. So prayer for bail of the accused Najir Hossain stands rejected.

Let the C.D be returned and call for further.

To 31.01.2024 for production and I.O's report.

Dictated & Corrected,

Judge POCSO Court-Cum-  
Addl. Sess. Judge, 2nd Court

Judge POCSO -Court-Cum-  
Addl. Sess. Judge, 2nd Court

Cooch Behar, I/C

Cooch Behar, I/C  
JO Code No. WB 00654