

**POCSO Case No. 02/24**

**Present :- Sri Mukul Kumar Kundu (JO Code No. WB 00654),  
Additional District & Sessions Judge,  
3<sup>rd</sup> Court, Sadar, Cooch Behar,  
In-Charge of Judge Spl.(EC Act)-Cum-  
Addl. Dist. & Sessions Judge, 2<sup>nd</sup> Court, Cooch Behar.**

**Order No. 09, dt. 12.03.2024 :-**

Today is fixed for production, appearance and supply of copy.

Accused Faijar Hossain @ Firoj Islam is produced before the Court from J/C and further remanded to J/C till 21-03-2024.

Another accused Najir Hossain on A.I. bail is present before this Court by filing a petition praying for confirmation of A.I. bail on the ground stated therein.

Perused. Heard. Considered and for ends of justice A.I. is extended till next date.

Ld. Advocate for the accused Faijar Hossain @ Firoj Islam files a petition praying for bail on the ground stated therein.

Copy served.

The bail petition is taken up for hearing in presence of both sides.

Ld. Counsel for the accused submits that accused is in custody since long and has been falsely entangled in this case. He also submits that accused has his hearth and home within the jurisdiction of this Court and if the accused is enlarged on bail he will not flee away. For the aforesaid ground he prays for releasing the accused on bail.

Ld. Spl. PP in charge oppose the bail considering the nature of offence.

Perused the case record and other materials on record as well as case diary.

On perusal of the case diary and statement of the victim girl recorded u/s 164 CrPC I find that there is sufficient incrimination materials for offence u/s 363/365/366A/328/506/120B of IPC r/w section 4 of POCSO Act and section 9/10/11 of Prohibition of Child Marriage Act against the accused person and charge sheet has already been submitted. As the the nature of offence is serious and charge sheet has already been submitted I do not find any reason to allow the bail prayer of the above accused and therefore, the bail prayer of the above accused may not be allowed.

Considering all aspect and nature of offence as well as submissions I am not inclined to enlarge the accused on bail. Hence, prayer for bail in respect of accused Faijar Hossain @ Firoj Islam stands rejected.

Copy is ready and supplied to accused Faijar Hossain @ Firoj Islam and Najir Hossain

To 21-03-2024 for production appearance and E/R of W/A of four accused persons.

Let CD be returned and be called for further.

Dictated & Corrected,

Judge POCSO Court-Cum-  
Addl. Sessions Judge, 2nd Court  
Cooch Behar, I/C

Judge Special Court-Cum-  
Addl. Sessions. Judge, 2nd Court  
Cooch Behar, I/C  
JO Code No. WB 00654

