

**POCSO Case No. 21 of 2021**

**Order No.10, dtd. 01.10.2021 :-**

Accused Bikram Barman is produced from J/C and for the accused bail application is filed and moved praying for bail on the ground of long detention as well as on the ground of procedural lapses in initiating the case against the accused and it is also contended by Ld Defence Counsel that accused is in custody for more than 53 days and the investigation being almost over he may be enlarged on bail at any condition.

Ld. P.P raised objection in granting bail and submitted that on the face of the pieces of evidences collected by the investigating agencies against the accused so far as the alleged offence is concerned, the accused does not deserve to be enlarged on bail.

Heard both sides at length.

Perused the case diary including the medical report and 164 statement of the victim girl and having considered all the facts and circumstances and keeping in mind the submission of the Ld Defence Counsel as to the lapses in initiation of the proceeding against the accused, I am of the view that procedural lapses cannot stand in the way of substantial justice to the victim who has to suffer the unfortunate incident and accordingly prayer for bail of the accused stands rejected.

C.D be returned.

I.O is directed to expedite the investigation and to submit report in final form at the earliest.

Accused Bikram Barman is remanded to J/C till 08.10.2021.

To 08.10.2021 for production.

Call for C.D.

Let a copy of this order be sent to the I.O for his information.

Dictated & Corrected,

Sd/-S.S.Das  
Judge POCSO Court-Cum-  
Addl. Sess. Judge, 2nd Court  
Cooch Behar

Sd/-S.S.Das  
Judge POCSO Court-Cum-  
Addl. Sess. Judge, 2nd Court  
Cooch Behar  
JO Code No. : WB00634