

POCSO Case No. 29 of 2023

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

Order No.10, dt. 16.01.2024 :-

Today is fixed for production and S.R.

Accused Jyotish Barman is produced before the court from J/C and further remanded to J/C till 29.01.2024.

No S.R is received in respect of accused Kalyani Roy against whom charge sheet u/s-506 IPC has been submitted but record shows notice has not been issued by this court. However, B.C-II is hereby directed to comply the order at once.

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

A bail petition is filed along with fresh vokatatnama on behalf of accused Jyotish Barman praying for bail on the ground stated therein.

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

Heard both sides.

It is submitted by the Ld Advocate for the accused that he is in custody since long and charge sheet has already been submitted so he may be granted bail at any terms and conditions.

Ld Special P.P in charge vehemently opposed the bail prayer considering the serious nature of offence.

Perused the case diary and other materials on record.

On perusal of the case record and case diary as well as medical report and statement of victim girl recorded u/s-164 Cr.P.C, I find that charge sheet u/s- 376(2)(1)/506 of IPC and section-6/10 of POCSO Act has already been submitted against the above accused Jyotish Barman which is serious in nature and if the accused is released on bail at this stage there is every chance of tampering the evidence of the case.

Considering all aspects and serious nature of offence I am not inclined to enlarge this accused on bail. Accordingly prayer for bail of the accused Jyotis Barman stands rejected.

Copy is ready and supplied to the accused Jyotish Barman.

Issue fresh notice upon accused Kalyani Roy at once.

To 29.01.2024 for production and S.R.

Dictated & Corrected,

Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C

Addl. Sess. Judge, 2nd Court
Cooch Behar, I/C
JO Code No. WB 00654