

POCSO Case No.11 of 2023

Order No.06, dtd.02/06/2023 :-

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

Received charge sheet being No.324/2023 dated 31.05.2023 from O.C Pundibari P.S, Cooch Behar against accused Nur Hasan Sarkar U/s-363/365 of IPC read with section-4 of POCSO Act along with accused copies.

Seen.

Cognizance is taken.

Let the C.S and accused copies be kept with the case record.

Accused Nur Hasan Sarkar is produced before the court from J/C and for the accused Ld counsel appearing moves the bail application praying for bail on the ground that the case has been culminated on submission of charge sheet against the accused and therefore no fruitful purpose will be served by detaining the accused behind the bar and therefore he may be enlarged on bail at any condition and he further submitted that the accused being a tender aged boy having his permanent hearth and home within the jurisdiction of this court there is no chance of his absconsion.

Ld P.P in charge strongly opposed in granting bail to the accused contending that prima facie a charge U/s-4 of POCSO Act attaching severe punishment has been well established against the accused and the fact of the case involved in this case is that a girl of 15 years of age has been sexually ravished by the accused and that has been corroborated by the evidence collected by the I.O during investigation from the medical report and from the 164 statement of the victim girl as well and Ld P.P in charge further contended that so far as the facts and circumstances of the case is concerned and regard being had to the gravity of offence, under no circumstances, accused deserves to be enlarged on bail.

Having heard both sides and on due consideration of the facts and circumstances of the case and the alleged offence and having a cursory glance of the medical report and 164 statement of the victim girl I do not think that it is a fit case for enlarging the accused on bail.

Accordingly prayer for bail of the accused stands rejected.

Accused is remanded to J/C till 16.06.2023.

To 16.06.2023 for production and copy.

Dictated & Corrected,

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

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

Cooch Behar

Cooch Behar
JO Code No. WB 00634