

## **POCSO Case No. 103/2016**

### **Order No. 23, dt. 18.03.2019 :-**

Accused Jahangir Mollah on C.B is present in court by filing hazira. Accused Kutubuddin Mollah on A.I bail is absent by filing a petition. In the same petition without giving any court fee, accused has also filed a petition for extension of A.I bail. As per CRO in a single petition two substantive prayers cannot be made. As such the petition is not maintainable at all. On perusal of the petition, I find that it has been written that accused is sick. On perusal of record, I find that on 11.12.18 accused Kutubuddin Mollah surrendered before the court and was taken into J/C. Subsequently, on 13.12.18 he was enlarged on A.I bail. He appeared on 02.02.19 and again today he is absent on medical ground but it is not supported by any documents. So, today I am not inclined to allow the prayer of accused Kutubuddin Mollah. Petition is rejected. Issue W.A against the accused.

Accused Abed Ali Mollah surrendered by filing a fresh power and files a petition praying for bail. He is taken into custody. The petition is taken up for hearing. Heard both sides. Considered. It is stated that due to some unavoidable reason, accused could not remain present in court. In my opinion no cogent ground is mentioned as to why accused remained absent in court. So, I am not inclined to enlarge the accused on bail. Prayer for bail is rejected. Accused is remanded to J/C.

To 06.04.2019 for production and E.R of W.A.

Dictated & Corrected,

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

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