

In the Court of the Additional District & Sessions Judge, 2nd Court,
Balurghat, Dakshin Dinajpur.
Special (POCSO) Case No.02 of 2024 (CIS-03/2024)
CNR NO : WBDD01-000068-2024
Present :- Manoj Kumar Prasad (J.O Code No.WB 00779).

11

19.03.2024

Ld. P.O is in leave.

Today is fixed for production, appearance of defacto complainant, hearing of bail petition and E/R of W/A against Sadhan Bhuimali.

The accused persons namely, Sudhan Bhuimali, Sanjoy Bhuimali @ Bittu, Bishal Bhuimali, & Madhabi Bhuimali on CB are present by filing hajira

Accused Apurba Bhuimali is produced before this court from J/C.

Defacto complainant is present after notice.

Ld. Special P.P-in-charge and the Ld. Advocate for the accused persons are present.

One bail application is filed on behalf of the accused person Apurba Bhuimali.

The said petition is taken up for hearing.

Heard. Perused. Considered.

It appears that in this case charge sheet has already submitted U/s-363/365 of IPC R/W section 9/10 of Prohibition of Child Marriage Act and Section 6 of POCSO Act.

It appears from the record that the age of the victim 15 years only. Therefore, considering the gravity of the offence, materials on record and CD, I am not inclined to grant bail of the accused Apurba Bhuimali.

Hence, prayer for bail of accused Apurba Bhuimali stands rejected.

Issue W/A against accused Sadhan Bhuimali.

BC-II to comply.

To **22.04.2024** for production, appearance and E/R of W/A against Sadhan Bhuimali.

Accused Apurba Bhuimal be remanded to J/C till next date.

Bailed out accused as before.

Dict. & Corr. by me.

Judge.

Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.
(J.O Code No.WB 00779)
in-charge

In the Court of the Additional District & Sessions Judge, 2nd Court,

Balurghat, Dakshin Dinajpur.

Special (POCSO) Case No.02 of 2024 (CIS-03/2024)

CNR NO : WBDD01-000068-2024

Present :- Sharanya Sen Prasad (J.O Code No.WB 00690).

StateVs..... 1. Sudhan Bhuimali, S/o-Mantu Bhuimali, 2. Sanjoy Bhuimali @ Bittu, S/o-Sudhan Bhuimali 3.Bishal Bhuimali, S/o-Sadhan Bhuimali, & 4. Madhabi Bhuimali, W/o-Sadhan Bhuimali, all of village Kasba, PS Tapan, District Dakshin Dinajpur.

Tapan P.S. Case No.676/2023 dated 16.11.2023 Under sections 363/365 of IPC and Section 6 of POCSO Act.

Copy of Order

02

18.01.2024

Today is fixed for production, appearance of defacto complainant, hearing of bail petitions and report in final form.

The accused persons namely, Sudhan Bhuimali Bhuimali, Sanjoy Bhuimali @ Bittu, Bishal Bhuimali, Madhabi Bhuimali & Apurba Bhuimali are produced before this court from J/C.

Defacto complainant is present after notice.

Ld. Special P.P and the Ld. Advocate for the accused are present.

Two separate bail applications is filed on behalf of the accused persons.

Bail petitions for Sudhan Bhuimali Bhuimali, Sanjoy Bhuimali @ Bittu, Bishal Bhuimali, Madhabi Bhuimali & Apurba Bhuimali is taken up for hearing.

Heard. Perused. Considered.

It appears that this is a case U/s-363/365 of IPC and Section 6 of POCSO Act.

It is the allegation that victim was missing since long and she was recovered later on.

After perusal of the case record and CD materials, it appears that during statement U/s-164 of Cr.P.C victim stated that she went with accused Apurba Bhuimali at Delhi and got married with him.

After perusal of the case record and CD materials, it appears that there are sufficient materials in the record against the accused Apurba Bhuimali.

Hence, prayer for bail of accused Apurba Bhuimali. Is hereby rejected.

It is the allegation against other accused persons abetted the offence.

Considering the case record and CD materials, prayer for bail of accused **Sudhan Bhuimali, Bhuimali, Sanjoy Bhuimali @ Bittu, Bishal Bhuimali & Madhabi Bhuimali** is hereby allowed.

Accordingly, the accused persons namely, **Sudhan Bhuimali, Bhuimali, Sanjoy Bhuimali @ Bittu, Bishal Bhuimali & Madhabi Bhuimali** may find bail of Rs.5,000/- with one registered surety of like amount each, subject to satisfaction of the Ld. C.J.M, Balurghat, Dakshin Dinajpur i.d. to J.C.

To **01.02.2024** for production, appearance and report in final form.

Let a copy of this order be sent to the Ld. C.J.M, Balurghat, Dakshin Dinajpur for information.

Dictated & corrected by me

Sd/-
Judge

Sd/-

**Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.
(J.O Code No.WB 00690)**

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Memo No.: _____/ADJ-II

Dated : 18.01.2024

Copy forwarded for information and taking necessary action to The Ld. CJM, Dakshin Dinajpur at Balurghat.

**Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.
(J.O Code No.WB 00690)**