

Special Case No.08/2021.

WBDD01-000450-2021

JO Code No.:(WB00711)

04

24.02.2021

Accuseds Sahiruddin Miah is produced before this Court from J.C.

Ld. P.P-in-Charge and Ld. Advocate on behalf of the accuseds – both are found present.

A bail petition is filed today on behalf of the accused .

Perused the petition. The said petition is taken up for hearing . Heard Ld. P.P as well as the Ld. Advocate for the accused person. C.D is produced . Perused the C.D.

Ld P.P in charge raised strong objection against the prayer for bail at this initial stage of investigation.

On the other hand Ld. Advocate for the accused submitted that the accused is an aged person and there is no allegations against the present accused regarding any offence under POCSO Act. There is no specific allegations against him. More so the accused is an aged person and he is suffering from various ailments. The accused Sahiruddin Miah is local inhabitants and there is no chance of his absconding. If the accused be released on bail, he would appear before the Ld Court as an when called for . It is further submitted by Ld Defence Counsel that no bail prayer of the accused is either rejected by or pending before the Hon'ble Court. In fine, Ld Advocate prays bail for the accused.

I carefully considered the submissions of Ld Advocates of both sides . I perused the materials on record and C.D. I carefully perused the forwarding report, statement of the victim recorded under section 164 of Cr.P.C and statement of the victim recorded under section 161 of Cr.P.C. I perused carefully the FIR and the materials against the present accused in C.D and on record. It appears that the other accused persons are absconding till date.

It appears that the accused is an aged person and he is local inhabitant. Considering the facts and circumstances, the materials on record and C.D , contents of FIR and contents of the statements of the victim , I find no reason to detain the accused in custody and I am inclined to allow interim bail to the accused Sahiruddin Miah, at this stage.

Accordingly, the accused namely Sahiruddin Miah, may find interim bail of Rs.8,000/- with two registered sureties of Rs.4,000/- each subject to satisfaction of the Ld. C.J.M, Balurghat, Dakshin Dinajpur till 10.03.21 i.d. to J.C till todate, ie, 10.03.2021.

If on bail, todate,ie, 10.03.2021 for appearance and for further order.

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

Dict. & Corr. by me.

Judge.

**Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.**

No.:_____

Dated : 24.02.2021

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.**

**Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.**