

**Special (C) 11 of 2022(Reg.No.11 of 2022)**

**Order No. 45 dated 01-03-2024**

Today is fixed for production of accused and hearing bail application.

Accused Saraj @ Pappu Tamang is produced from J/C.

Bail application of accused is taken up for hearing.

Learned lawyer appearing for accused submitted that among 16 charged sheet witnesses, 12 witnesses have been examined in this case, only medical expert and police personnel are left for examination. It is submitted that accused is in accused since July, 2022, allegation against the accused u/s 6 of POCSO Act but forensic report is in favour of accused. It is submitted that there is no chance of absconding and tampering of evidences and prays for bail.

Learned Special Public Prosecutor submitted that CFSL report shows that accused is not biological father of new born baby.

On perusal of case record it appears that allegation against the accused is committing rape on v.g. and v.g. became pregnant. 12 (twelve) witnesses including v.g. have already been examined. Forensic report is not against the accused. Only medical expert and police personnel are left for examination. It can safely be presumed that there is no chance of tampering with the evidence. Prayer for bail is considered and allowed.

Accused Saraj @ Pappu Tamang may be released on **interim bail till 04-05-2024** on furnishing bail bond of Rs.5000/- with one surety of like amount to the satisfaction of learned CJM, Darjeeling I/d to j/c.

Let a copy of this order be sent to learned CJM, Darjeeling for information and necessary action.

Fix 26-04-2024 for evidence of CSW No.2 and 12

Fix 02-05-2024 for evidence of CSW No.13 & 14

Fix 03-05-2024 for evidence of CSW No.15

Fix 04-05-2024 for evidence of CSW No.16.

Issue summons accordingly.

If on bail accused is directed to remain present on the date fixed.

Dictd.& corrctd.by me,

Sd/-  
Spl.Judge, Darjeeling.

Sd/-  
Special Judge,  
Under POCSO Act,2012, Dlg