

Order No.2

25.8.15

The accused Manik Roy is produced from custody.

Today is fixed for evidence.

The Defacto complainant Rumpa Roy appeared before this Court as witness. She is examined as P.W 1. She has proved her signature on the written complaint which is marked as **Ext.1**. She has also proved her signature on the Consent form, which is marked **Ext.2**, signatures on Medical Report marked **Ext.3** and the seizure list marked **Ext.4**. She is cross-examined in full and discharged.

The victim also appeared before this Court. She was examined formally for her capability of understanding the questions and give rational answer and after being satisfied she is examined as P.W 2. She has proved her signature in the Medical Report, which is marked as **Ext.3/1** and her signature in the 164 statement which are marked **Ext.5 (collectively)**. This witness is also cross-examined in full and discharged. No other witness is present today. The case is adjourned.

Let this case be fixed on **5.10.15** for other prosecution witnesses.

One bail petition is filed for the accused.

Heard both sides.

It appears that this accused is in custody for 137 days. The examination of the victim girl has been completed. So, I find no reason to detain the accused in custody.

So, considering his detention the bail prayer is **allowed**.

He may find bail of Rs.2,000/- with 2 sureties of Rs.1,000/- each, to the satisfaction of the Ld.C.J.M Darjeeling.

If on bail to date for appearance and evidence of C.S.W No.3,4,5.

Accused as before.

Dictated and corrected by me,

(S.Misra)
Special Judge
Under POCSO Act,
Darjeeling

Spl. Judge, Dlg.