

Special (C) 25 of 2025 (Reg. No. 26/2025)
CNR: WBDJ010007192025
State Vs Jiwan Biswakarma Khati @ Antaray
(Sadar P.S Case No. 112/2025 dated 07.11.2025 u/s 6 of POCSO Act)

Order No. 11 Dated: 02.02.2026

Today is the date fixed for production of accused Jiwan Biswakarma Khati @ Antaray and hearing of his bail petition.

The aforesaid accused is produced from J/C.

Ld. Special P.P and Ld. Advocate of accused are present.

Ld. Special P.P submits that the victim girl is present along with de-facto complainant who happens to be the mother of victim girl.

The bail petition filed for the accused is taken up for hearing.

Ld. Advocate of accuses submits that pursuant to a complaint made by the mother of the victim girl, the present case was initiated under section 6 of POCSO Act on 07.11.2025. The accused person is in custody since 10.11.2025. No bail application for the present accused person was ever moved and rejected by any superior forum.

Ld. Advocate further submits that charge sheet has been filed against the present accused under section 6 of POCSO Act with adding section 85 of JJ Act. It is further contention of Ld. Advocate for the accused person that the age of the accused person is about 72 years and he has been falsely foisted in this case. He has permanent hearth and home and accordingly no chance of abscondance. He has no social, political and economical power to interfere with the processes of administration of justice. Drawing the attention of this Court to the medical reports, Ld. Advocate prays for bail.

In response to the question of this Court the mother of victim girl submits she has objection in enlarging the accused on bail.

Ld. Special P.P submits that if this Court proposes to grant bail, condition may kindly be imposed restraining the accused from entering into the jurisdiction of Darjeeling Sadar P.S till the completion of evidence of victim girl, her mother and other relatives.

Considered.

Having regard to long detention and age of accused, materials appearing from prosecution papers and stand of prosecution, I am inclined to enlarge accused Jiwan Biswakarma Khati @ Antaray on bail and accordingly he may find bail of Rs. 5,000/- with two registered sureties of Rs. 2,500/- each subject to satisfaction of Ld. CJM, Darjeeling and on condition that he will not enter into the jurisdiction of Darjeeling Sadar P.S until further order of this court and in any way contact or attempt to contact any of the witnesses of the present case including the victim girl.

The accused shall communicate his address and working mobile number after being released on bail to this Court as well as to I/C, Sadar P.S, Darjeeling (under registered post with A/D) and to the O/C under whose jurisdiction he would reside within one working day from the date of release.

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In the event of bail bond being furnished and accepted, fix 07.03.2026 for appearance of accused and supply of copy.

If bond not furnished, 16.02.2026 for production of accused and supply of copy.

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

Dictated and Corrected by me:

Sd/-

Judge, Special Court
Under POCSO Act, Darjeeling.
JO Code: WB00815

Sd/-

Judge, Special Court
Under POCSO Act, 2012, Darjeeling.
JO Code: WB00815