

Order No.13

29.04.2017

T o d a y is fixed for production/further evidence.

Accused Sumit Toppo is produced from J/C.

Ld. P.P is present with four witnesses. Roshima Xalxo is examined as P.W 5,Cross-examined and discharged. Mesak Xalxo is examined as P.W 6, Cross-examined and discharged and he proved the Written Complaint which is marked as **Ext.5**. Manoj Xalxo is examined as P.W 7,Cross-examined and discharged and David Khujur is examined as P.W 8,Cross-examined and discharged and he proved is signature on 'Zimmanama' bond dated 24.1.16,which is marked as **Ext.6**.

Ld. P.P is praying for fixing a date for further evidence.

Accordingly fix **07.06.17** for evidence of C.S.W 9 Dr.AnurupSaha,Demonstrator,Department of F.M,NBMC.

Issue Summons accordingly.

Dictated and corrected
by me,

(Anupam Mukherjee)
Special Judge
Under POCSO Act
Darjeeling

Special Judge,Darjeeling

L a t e r.....

A bail petition is filed on behalf of the accused person on the ground stated in the application.

Copy served.

Ld. Advocate appearing on behalf of the accused person submitted that his client was arrested on **31.10.15** and since then he is languishing in Judicial Custody, his client is innocent and has been falsely implicated in this case. He is the permanent resident within the jurisdiction of this Ld. Court and if bail be granted there is no chance of his abscondence. Moreover, his client is ready to face the trial if bail be granted in his favour. So, he is praying for bail on any ground as this Ld. Court deem fit and proper.

Ld. P.P vehemently opposes the prayer for bail stating that if bail be granted to the accused person at this stage, there is every chance of his abscondence which may delay the trial of this case.

Perused the case record I find that in this case till today 8 witnesses have been examined and from the trends of their evidence as well as considering the gravity of the offence I am not inclined to grant bail in his favour. Moreover, if bail be granted there is every chance of tampering / hampering the prosecution witnesses.

Thus the prayer for bail is **re j e c t e d**.

To date for production and evidence.

Dictated and corrected
by me,

(Anupam Mukherjee)
Special Judge
Under POCSO Act
Darjeeling

Special Judge,Darjeeling