

Special Case No. 08 of 2023

Present: Sri. Madan Mohan Mishra,

Ld. ADJ 3rd Court, Darjeeling

In Charge: ADJ Court, Kurseong

Order No.15/ dated 11.11.2025

The Bail application filed by the accused on 06.11.2025 is taken up for consideration.

Heard Ld. Advocate representing accused as well as Ld. Special P.P-in-charge Smt. Bobita Lama.

Perused the materials on the case record and in the case diary.

Ld. counsel representing the accused submits that accused has been able to make out a probable defence and has created a doubt in a prosecution case through the cross examination of the prosecution witnesses. The Case is pending for hearing of the argument for more than ten months. Accused may be enlarged on bail.

On the other hand, the Ld. Special PP-in-charge raises objection by submitting that the Case is at the stage of hearing argument and enlarging of accused may prejudice the conclusion of the trial in the case.

Having considered the rival submissions in the light of the materials in the case record and the case diary taking note of the nature of the allegation when the trial of the case is on the verge of its conclusion and defence itself is guilty of delaying the hearing of the arguments in the case. I am not inclined to allow the bail application.

Hence the bail application of the accused stands rejected.

To date (18.11.2025) for production and hearing further argument.

Dictated & Corrected by me

Sd/-

Judge (Special Court under POCSO Act)

Judge (Special Court under POCSO Act)

Kurseong

Kurseong.

(In-Charge)

(In Charge)