

Spl. Case No.13 of 2024

Order No. 08
Dt 12.03.2025

Charge Sheeted accused No. 2 Shambhu Biswakarma and No. 3 Smt. Kalpana Biswakarma appeared and submits that they are poor and they don't have any means to engage Ld. Lawyer.

Ld. Special PP in charge Smt. Babita Lama is present.

Having heard both the accused personally, Ld. Senior counsel Miss Nirmala Agarwal is appointed for the accused persons from the SDLSC panel.

She files a bail petition for accused No. 2 Shambhu Biswakarma and No. 3 Smt. Kalpana Biswakarma. Both the accused persons are taken into custody.

Bail petition of both the accused persons are taken up for hearing.

Heard both sides.

The Ld. Lawyer for the accused persons submits that these accused persons are the parents of the CCL main accused and they do not know anything about the alleged incident so their prayer for bail be allowed on any condition.

Ld. Special PP in charge raises no objection.

Perused the CR. Considered.

CR reveals that the CS has been filed for the offence punishable U/s 06 of POCSO Act, against the CCL who happens to be the son of these accused persons, and for the offence punishable U/s 238(b)/239/351(2)(3) of the BNS R/w Sec 8 of the POCSO Act and after taking cognizance of the offence this Court issued summons upon these two accused persons.

Having considered the fact that the CS has already been filed and these accused persons were not arrested by the IO during the course of investigation, I find no reason to reject the bail prayer of these accused persons. Considering the fact that both the accused persons are being defended by the Ld. Senior SDLSC Panel Counsel, so each of the accused maybe released on bail on their execution of PR Bond of Rs. 1000/- id to J/c till 26.03.2025 if on bail todate for appearance and passing necessary order.

Let a copy of this order be sent to the Chairman SDLSC for issuing appointment order to the Ld. Senior Panel Counsel Miss Nirmala Agarwal.

To **26.03.2025** for appearance and passing necessary order.

D/C by me:

SD/-Shri Sujit Kumar Mehrotra
Judge Special Court, Kurseong
JO Code No. WB00601.