

CNR No.WBDJ070000682025

JO Code : WB00953

Special POCSO Case No. 9/2025

Order No.2

Dated 29.07.2025

Today is fixed for production and evidence of CSW No.4.

Accused Diwas Bhujel has been produced from J/C.

Ld. Special P.P. as well as Ld. Defence counsel are found present in court.

No witness is present.

Ld. Special P.P. files a petition praying for adjournment on the ground stated therein.

A separate petition has also been filed by the Ld. Counsel for the accused stating therein that the accused **Diwas Bhujel** has been granted bail by the Circuit Bench at Jalpaiguri of Hon'ble High Court, Calcutta vide order dated 28.07.2025 passed in C.R.M. (M) 177 of 2025 and a prayer has been made for permission for filing bail bond on behalf of the said accused person. A separate intimation has also been filed along with the plain printed copy of the aforesaid order passed by the Circuit Bench at Jalpaiguri of Hon'ble High Court, Calcutta.

The Ld. Counsel for the accused person also files an affidavit.

The Ld. Counsel, therefore, prays for passing necessary order to that effect.

Copy of the petition has also been served on the Ld. Special P.P. who has not raised any objection.

On perusing the downloaded copy of the order dated 28.07.2025 passed by the Circuit Bench at Jalpaiguri of Hon'ble High Court, Calcutta in C.R.M (M) 177 of 2025, it appears that the accused person **Diwas Bhujel** was directed to be released on bail upon furnishing bond of Rs. 10,000/- with one registered surety to the satisfaction of the Ld. Sessions Judge, Special Court (under POCSO Act, 2012), Kalimpong, on further condition that the petitioner shall attend the court on each and every date fixed during trial unless exempted and shall not tamper with any evidence and threaten any witness during pendency of the trial. The petitioner shall not leave the jurisdiction of this court without prior permission of the Ld. Trial court until further orders.

In the event, the petitioner fails to comply with the condition as enshrined herein above, it is open to the Trial court to cancel the bail without further reference to the Circuit Bench at Jalpaiguri of Hon'ble High Court, Calcutta.

Accordingly in compliance of the order passed by the Hon'ble High Court, Calcutta as the accused wishes to furnish bail bond therefore, he is permitted to furnish bail bond before the Ld. C.J.M, Kalimpong and if the bail bond furnished on behalf of the accused **Diwas Bhujel** is found to

be fit and proper, the same is to be expeditiously communicated to this court on the same day when the bail bond is furnished for its acceptance and for issuance of release order.

The petitions filed today are thus disposed of.

If on bail the accused person is to remain present on that date fixed (i.e. on 30.07.2025) and if not then he shall be produced before this court on the aforesaid date.

Let a copy of this order be sent to the Ld. Chief Judicial Magistrate, Kalimpong at once for information and compliance.

D&C by me

Sd/-

Judge, Special Court (POCSO)
Kalimpong

Sd/-

Judge, Special Court (POCSO)
Kalimpong