

CNR NO. WBDJ070000692023

JO Code WB00682

Special POCSO Case No. 8/2023

Order No. 20

Dated 29.01.2024

Record is put up today by a petition along with bail application coupled with a fresh Vakalatnama and a xerox copy of bail order dated 24.01.2024 passed by the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri in CRM (DB) 13 of 2024.

Heard the bail application filed by the accused Azizul Sekh @ Rahul Subba praying for releasing him on bail in this case in terms of the order of the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri dated 24.01.2024 passed by the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri in CRM (DB) 13 of 2024 in presence of Ld. advocate for the accused person and the Ld. Special P.P.

Seen the copy of order of the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri, perused the case record and considered.

It is found from the order dated 24.01.2024 of the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri in CRM (DB) 13 of 2024, that the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri was pleased to direct this court to release the petitioner on bail in POCSO Case No. 8/2024 arising out of Gorubathan P.S. case No. 10/2023 dated 18.03.2023 u/s 419/354D/500/506 of IPC r/w Sec. 12 of POCSO Act, 2012 corresponding to POCSO Case No. 8 of 2023 on such terms and conditions as deemed just and proper in the facts and circumstances of this case including the conditions that :

- i) The petitioner shall appear before the trial court on each date of substantive hearing subject to provision of Section 317 Cr.P.C.
- ii) The petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the Ld. Court below.

Therefore, in view of the order dated 24.01.2024 passed by the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri in CRM (DB) 13 of 2024, the accused Azizul Sekh @ Rahul Subba may find bail of Rs. 10,000/- with two registered sureties of Rs. 5,000/- each of like amount on condition that he shall appear before this court on each date of substantive hearing subject to provision of Section 317 Cr.P.C.; he shall not leave the jurisdiction of the Police station without obtaining prior leave from this court; he shall not cause any threat or intimidate the

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witnesses including the V.G. and her parents in course of trial of this case and other witnesses who are yet to be examined in this case and subject to the satisfaction of the Ld. C.J.M., Kalimpong.

If the accused furnishes the bail bonds, then the Ld. C.J.M., Kalimpong is directed to receive the bail bonds furnished by the accused and to issue release order forthwith in favour of the accused Azizul Sekh @ Rahul Subba.

Let a copy of this order be sent to the Ld. C.J.M., Kalimpong for his information and taking necessary action.

To date (14.03.2024) for further evidence of P.W.1.

D&C by me

Sd/-

Judge, Special Court (POCSO)

Kalimpong

Sd/-

Judge, Special Court (POCSO)

Kalimpong