

POCSO 03 of 2026

Present : Satyajit Maity
Judge, Special Court (POCSO), Haldia,
Purba Medinipur.

Ref : Bhabanipur PS Case No. 331/25 dated 14.11.2025.

Order No. 21 dated 20.04.2026

Today is fixed for production of accused Santanu Chakraborty and Sourav Chakraborty, appearance of accused Samir Das and E.R. of W.A. in respect of accused Manas Chakraborty.

Accused Santanu Chakraborty and Sourav Chakraborty are produced from J/C through VC.

Accused Samir Das, on Court bail, is present by filing hazira.

No E.R. of W.A. in respect of accused Manas Chakraborty is received.

Issue reminder.

One petition, praying bail, supported by affidavit along with fresh vokalatnama has been filed on behalf of accused Santanu Chakraborty and Sourav Chakraborty. Copy served.

Learned Advocate appearing for the accused and the ld. Spl. P.P., both are present.

The bail application filed on behalf of the accused is taken up for hearing in presence of both sides.

From the averment made on affidavit, it appears that no similar bail application has been filed before the Hon'ble High Court, Calcutta or before any superior Court on behalf of the accused/petitioners and/or pending and/or rejected by the Hon'ble Court or by any superior Court.

Ld. Advocate appearing on behalf of the accused/petitioners submits that these accused/petitioners were previously on bail but against cancellation of bail, they were taken into custody. It is also the contention of the ld. Advocate for the accused/petitioners that these accused/petitioners are in custody since 21.02.2026. Ld. Advocate submits that the accused/petitioners will not misuse the liberty of bail again. He also submits that nothing is left in this case for investigation since the charge-charge has already been submitted. He further submits that if these accused/petitioners are released on bail, there is no chance of tampering any evidence. He prays for bail of the accused/petitioners on any condition.

Ld. Special P.P. produces the C.D. for the consideration of this Court. Ld. Special P.P. submits that both the accused/petitioners are on bail but as they violated the bail conditions imposed, their bail was cancelled. She also submits that these accused persons, in violation of this Court's order not only entered into the jurisdiction of Bhabanipur PS but also threatened the de facto complainant and the victim with dire consequences to withdraw the case and committed the offence of damaging the house property of the petitioner etc. It is also the contention of ld. Special P.P. that regarding that incident, a specific case has already been started. She prays for rejection of the bail prayer of the accused/petitioners.

Heard both sides.

Perused the FIR, CD and other materials on record including the order passed in CrI. Misc. Case No. 15 of 2026.

From the order dated 21.02.2026 passed in Criminal Misc. Case No. 15 of

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2026, it appears that the accused/petitioners were earlier granted bail. Apart from the execution of bail bonds, certain conditions were imposed upon them, namely that they shall remain outside the jurisdiction of Bhabanipur Police Station and shall not enter the said jurisdiction until the recording of evidence of the de facto complainant and the victim(s), except for the limited purpose of meeting the Investigating Officer. They were further directed to immediately intimate to the Investigating Officer their present address outside the jurisdiction of Bhabanipur Police Station. The accused/petitioners were also restrained from contacting or attempting to contact the complainant, the victim(s), or any person connected with the case. Additionally, they were directed not to tamper with the evidence and not to directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case. It was further stipulated that, in the event of any breach of the said conditions, the order of bail would stand automatically cancelled. It further appears from the said order that another FIR has been lodged against the present accused persons along with others.

From the materials on record, it appears that the accused/petitioners have misused the liberty granted to them by the Court, particularly by tampering with evidence, influencing witnesses, and by allegedly committing further offences, thereby warranting cancellation of the bail earlier granted to them. It appears that on the earlier occasion, the bail prayer of these accused was refused. Another accused, who happens to be the father of these accused is still absconding.

Having considered the facts and circumstances of the case, as well as the conduct of the accused/petitioners, this Court is of the view that if they are released on bail at this stage, there is a strong likelihood that the proceedings and/or trial of the case may be protracted or otherwise hampered. Accordingly, I am of the considered opinion that the prayer for bail of the accused/petitioners deserves to be refused.

Accordingly, prayer for bail of the accused/petitioners is **rejected**.

To 04-06-2026 production of accused Santanu Chakraborty and Sourav Chakraborty, appearance of accused Samir Das and E.R. of W.A. in respect of accused Manas Chakraborty.

Dict. & corrected by me.

Sd/-
Judge, Special Court (POCSO),
Haldia, Purba Medinipur.

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