

Sessions Case No: 231 of 2026
Present :: Neyaz Alam,
Judge, Exclusive POCSO Court, Contai-I/C
J.O. Code WB01398

Order No: 07, Date: 02-07-2026

Today is fixed for appearance of D.C and hearing of bail application.

Accused namely, Kamal Dey @ Getha is produced from J.C though VC.

Ld. Special P.P is present by filing hazira.

The bail petition dated 18.06.26 is taken up for hearing.

Ld. Advocate for the accused person submitted that the instant case has been originated by misusing the POCSO Act due to village politics. The plaint of the case has been drafted by fertile brain of expert person. The petitioner has been falsely implicated with this crime. It is also stated that the petitioner was taken into police custody and thereafter with the culmination of the investigation, Charge-sheet has been filed. The petitioner has got no criminal antecedent to keep him behind the bar any further. Therefore, bail is prayed for on any terms and condition.

Ld. PP-in-charge raises strong objection to the bail prayer.

Ld. Advocate for defacto complainant appears and opposes the prayer for bail.

Heard all the sides. Perused case record, CD including the statement u/S 183 of BNSS and Medical report.

It appears that the medical report does not carry much significance and the contents of FIR and the statement under Section 183 of BNSS is not uniform. Further, nature of the allegation is not corroborated by medical evidence. Purely based on the statement of the victim and his younger brother, the complaint is made. Since the allegation has been made out in the FIR requires adjudication at the time of trial, which essentially based on question of fact and keeping in mind the residential status of the petitioner, the Court is of the opinion that the accused may be accorded with bail but with stringent condition.

Accused Kamal Dey @ Getha may be enlarged on furnishing bail bond of Rs.5,000/- with two sureties of like amount, subject to the satisfaction and acceptance of the Ld. ACJM, Contai i/d to J/C till the next date. Accused is directed not to enter into the territorial jurisdiction of Bhagwanpur P.S till conclusion of evidence of CSW-1 & 2.

Fix **15.09.2026** for appearance and supply of copy.

Let a copy of this order be sent to the Court of Ld. ACJM, Contai for information and necessary action.

Dictated and Corrected By:

Sd/-
Judge, Exclusive POCSO Court,
Contai-I/C

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Judge, Exclusive POCSO Court,
Contai-I/C