

Special (P.O.C.S.O) 03 / 2026  
(C.N.R. - WBHG05-000040-2026)

Present: Smt. Ratna Roy  
Judge, Special Court-cum  
Additional Sessions Judge, 1<sup>st</sup> Court,  
Serampore, Hooghly  
(J.O. Code : WB00914)

Order No. 04 dtd. 19.01.2026

Accused Sanjib Mondal is produced from correctional home.

I.O's report not yet received.

The bail application of the accused namely, Sanjib Mondal, which is fixed for hearing today is taken up.

Ld. Special P.P.-in-charge and Ld. Defence Counsel are present.

The de-facto complainant appeared at the time of hearing of the bail application.

Heard both sides over the bail petition.

Ld. Defence Counsel submitted that the accused is in custody since 06.01.2026. The arrest of the accused is illegal because he had not been informed about the ground of arrest. The F.I.R was not written by the de-facto complainant, it has been written by a police personnel. The victim girl had already given statement under section 183 of BNSS, where she had not stated anything against the accused. The accused has been falsely implicated in this case. That considering the detention of the accused, he be granted bail under any condition.

Ld. Special P.P.-in-charge opposed the bail prayer stating that the investigation of the case is in its preliminary stage. The accused had been informed about the ground of his arrest. The medical report of the victim girl corroborates the F.I.R. At this stage, it cannot be understood as to what the victim girl stated before the Magistrate during her statement under section 183 of BNSS was out of fear or not because in the F.I.R there is allegation of putting the victim girl in fear.

Considered submission of both sides. Perused the materials in the case record and the C.D.

On perusal of the medico-legal examination report of the victim girl I find that the allegation under section 6 of POCSO Act, as has been alleged in the F.I.R is corroborated. The case is still in its initial stage of investigation. The accused is the stepfather of the victim girl. It cannot be understood at this stage whether was the victim girl stated before the Magistrate during her statement under section 183 of BNSS was out of fear or coercion or not. Considering the above, I do not find it to be a fit case to grant bail to the accused at this stage. Hence, the bail prayer of the accused namely, Sanjib Mondal stands rejected.

To **02.02.2026** for production of the accused and I.O's report.

D/C by me.

SD/- Ratna Roy.  
Judge, Special Court-cum-  
Additional Sessions Judge,  
1<sup>st</sup> Court, Serampore,

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