

Present: Smt. Ratna Roy (J.O. Code – WB00914)
Judge, Special Court-cum-Additional Sessions Judge, 1st Court,
Serampore, Hooghly
Special (P.O.C.S.O) 03 / 2026
(C.N.R. - WBHG05-000040-2026)

Order No. 13 dtd. 10.04.2026

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 was present 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 step-father of the victim girl. Charge-sheet has already been submitted in this case. So, there is no chance of hampering and tampering the evidence. It comes from the evidence of the victim girl under section 183 of BNSS that the case was filed due to misunderstanding. The accused is a local person. He will attend Court on every date of trial. That considering the detention of the accused and the fact that the investigation is already over, he be granted bail under any condition.

Ld. Special P.P.-in-charge opposed the bail prayer stating that the medical report of the victim girl corroborates the F.I.R in full. The victim girl had told her mother about the fact of her being sexually exploited by the accused but her mother just kept quiet. All the teachers of the victim girl had during their statement under section 180 of BNSS stated about the fact of the victim girl being sexually exploited by the accused, who is the step-father. The victim girl is aged only 13 years.

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 in full. The accused is the step-father of the victim girl. It cannot be understood at this stage whether what the victim girl stated before the Magistrate during her statement under section 183 of BNSS was out of fear or coercion or not. From the statement of the school teachers of the victim girl it is seen that the teachers found the victim girl not behaving as a normal school girl of her age for quiet some time and when they took her to the head teacher's room and asked her about her behaviour, she told her teachers as to what the petitioner/accused had been doing with her. It also comes that the mother of the victim girl even after coming to know about the incident long before the teachers of the victim girl came to know about the incident and informed her she kept mum and provided no protection to the victim girl.

Considering the nature and gravity of the case and the relation of the accused with the victim girl, I do not find it to be a fit case to grant bail to the accused. Hence, the bail prayer of the accused namely, Sanjib Mondal stands rejected.

To date **(02.05.2026)**.

D/C by me.

SD/- Ratna Roy.
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Additional Sessions Judge,
1st Court, Serampore,

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