

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) No. 36/2026
(C.N.R:- WBHG05-000886-2026)

Order No. 08 Dated 31.07.2026

Today is fixed production of the accused namely, Sk. Azad Ali and Abdul Alim Molla, hearing of bail applications filed on behalf of the accused and I.O's report.

The accused Sk. Azad Ali and Abdul Alim Molla are produced from the Correctional Home.

Today this Court has received charge-sheet, being no. 352 of 2026 Dated 29.07.2026 under section 329(3)/329(4)/324(4)/115(2)/118(1)/118(2)/76/61(2)/3(5) of BNS and section 8 of POCSO Act from Serampore P.S in connection with F.I.R no. 771/2025 Dated 22.12.2025 against the accused namely, Abdul Alim Molla @ Alim, Sk. Azad Ali, Merina Parveen, Erina Parveen and Firojan Begum along with copies. Perused the same. Cognizance is taken. Let the same be kept with the record.

Ld. Advocate for the accused and Ld. Special PP-in-Charge are present. The de-facto complainant was also present at the time of bail hearing on receipt of notice.

Heard the bail petition.

Ld. Defence Counsel submitted that the accused Abdul Alim Molla is in custody since 08.07.2026 and the accused Sk. Azad Ali is in custody since 19.07.2027. The accused have been falsely implicated in the case. The accused Abdul Alim Molla had lodged a complaint against the de-facto complainant and her family members including the victim girl of this case over the self-same incident on 09.06.2025, over which Serampore P.S Case no. 339 of 2025 Dated 09.06.2025 was started and after investigation charge-sheet was filed against the de-facto complainant and her family members. The accused of Serampore P.S Case no. 339 of 2025 Dated 09.06.2025 were in custody for 60 days. Only after they got bail from the Court, to take revenge against the accused persons and to harass the accused persons, this case has been instituted against the accused. Charge-sheet has already been submitted in this case. That considering the detention of the accused persons, they be granted bail under any condition.

Ld. Prosecution submitted that charge-sheet has been filed against the accused persons under section 8 of the POCSO Act including other sections of BNS. The de-facto complainant and other witnesses have corroborated the F.I.R during their statement under section 180 of BNSS. The victim has specifically stated as to what the accused persons had done with her during her statement under section 183 of BNSS.

Ld. Advocate for the de-facto complainant submitted that it is fact that a criminal case was started against the de-facto complainant and her family members over an F.I.R lodged by the accused of this case. He further submitted that as charge-sheet has been submitted against the accused persons under POCSO Act, he leaves upon the Court to decide the matter of bail.

Considered. Perused the materials in the case record and the C.D.

On perusal I find that the instant case was started over a Court Complaint, which was lodged over three months later since the date of the alleged incident. Charge-sheet has already been filed in this case. The facts of the case and the materials in the C.D are not of such a nature that custody trial of the accused persons is required. Hence, the bail prayers of the accused persons namely, Sk. Azad Ali and Abdul Alim Molla are allowed.

Accordingly, accused persons namely, Sk. Azad Ali and Abdul Alim Molla may find bail of Rs. 10,000/- each, with two sureties of Rs. 5,000/- each, subject to satisfaction of Ld. A.C.J.M., Serampore, on condition that they shall remain present on all the subsequent dates fixed without fail and they shall not intimidate any of the witnesses of this case.

Issue w/a against the accused persons namely, Merina Parveen, Erina Parveen and Firojan Begum at once.

If on bail, to 21.11.2026 for appearance of the accused Sk. Azad Ali and Abdul Alim Molla i/d production and E/R of W/A.

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

Dictated & corrected by me.

SD/-
(Ratna Roy)
Judge, Special Court-cum-
Additional Sessions Judge
1st Court, Serampore.

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