

**Special (P.O.C.S.O.) 17 / 2025**  
**(C.N.R. - WBHG05-000512-2025)**

**Present: Smt. Ratna Roy**  
(J.O. Code : WB00914)

**Order No. 04 dtd. 04.04.2025**

Today is fixed for production and I.O.'s report in final form.

Accused Bikash Prasad is produced from correctional home. I.O.'s report not received.

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

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

Defacto complainant is present by vokalatnama.

Heard both sides over the bail petition.

Ld. Defence Counsel submitted that the victim girl being ill was taken to hospital for treatment. From there she was sent to the police station. Due to highhandedness of the police the case has been filed against the accused. The accused has been falsely implicated in the case. He thus prayed for bail of the accused under any condition.

Ld. Special P.P.-in-charge submitted that though the case has been started under section 64 of B.N.S. and section 6 of P.O.C.S.O. Act, the victim during her statement under section 183 of B.N.S. did not say anything regarding the accused having committed sexual assault with her. Medico-legal examination of the victim girl has also been refused by the victim girl and the defacto / mother of the victim girl. Ld. Special P.P.-in-charge thus left upon the court to decide the matter of bail.

Also heard the defacto and perused the affidavit filed by the defacto. The defacto stated that she does not have any objection if the accused is enlarged on bail. She also stated that the case has been filed due to misunderstanding.

Considered the submissions as made by the defence counsel, prosecution and the defacto. Perused the materials in the C.D. and the case record. I find that the medico-legal examination of the victim girl has been refused during her statement under section 183 of B.N.S.S. The victim girl has stated that the case was lodged due to misunderstanding. She also stated that she did not has any relation with the accused and she also does not know the accused.

Considering the submissions and the materials in the C.D., I am of the opinion that the bail prayer of the accused should be allowed. Hence, prayer for bail of the accused is allowed.

Accordingly, accused person namely Bikash Prasad may find bail of Rs. 6000/- with two sureties of Rs.3000/- each, subject to satisfaction of Ld. A.C.J.M., Serampore, on condition that he shall remain present on all the subsequent dates fixed without fail.

If on bail, to **19.05.2025** for appearance and I.O.'s report.

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

Sd/- (Smt. Ratna Roy)  
Judge, Special Court-cum-  
Additional Sessions Judge,  
1<sup>st</sup> Court, Serampore,

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