

Special (P.O.C.S.O.) 17 / 2024

Order No. 10

06.06.2024

Ld. Special P.P.-in-charge is present with C.D. and files hazirah. Ld. Lawyer for the accused is also present.

Today this case is fixed for hearing of bail petition filed on 22.05.2024, which is taken up for hearing.

Heard both sides. Perused the bail petition, C.D. and record. Considered.

Ld. Lawyer for the accused submits that this is case under section 342/354/506/34 I.P.C. and section 8 of P.O.C.S.O. Act. The accused is in custody since 03.05.2024. He further submits that considering the nature of offence and period of detention, the accused may be enlarged on bail.

Ld. Special P.P.-in-charge vehemently opposes the prayer for bail and submits that there are sufficient materials against the accused. She further submits that there is allegation against this accused and others that they have drugged the victim and committed sexual offences.

It appears from F.I.R. that the instant case was started on the basis of an application under section 156(3) Cr.P.C. It also transpires from the record that the accused was brought under arrest in connection with this case on 03.05.2024. On perusal of C.D., it transpires that investigation of this case has been completed and charge sheet has been made ready under sections 342/354/506/328/34 I.P.C. and section 8 of P.O.C.S.O. Act. Since charge sheet has been submitted, detention of the accused is not required for the purpose of investigation. I am of the view that this is not a fit case for custodial trial. I am, therefore, inclined to allow prayer for bail of accused. Hence, prayer for bail of accused is allowed.

Accused Achintya Pal @ Deep may find bail of Rs. 5000/- with two sureties of Rs.2500/- each, subject to satisfaction of Ld. A.C.J.M., Serampore, on condition that he shall not intimidate the witnesses and shall not tamper with the evidences in any manner whatsoever.

If on bail, to **17.06.2024** for appearance. Return C.D.

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

Let a soft copy of this order be sent to the Superintendent of concerned Correctional Home for due intimation of his bail to the accused.

Dictated & Corrected by me.

Sd/- (Sri M.K. Rai)

Judge, Special Court-cum-
Additional Sessions Judge,
1st Court, Serampore,

Sd/- (Sri M.K. Rai)

Judge, Special Court-cum-
Additional Sessions Judge,
1st Court, Serampore