

Special (P) 17 / 2023

Order No. 13 dtd. 28.06.2023

Sole accused namely Dharendra Nath Sikdar is produced from correctional home. He is remanded to correctional home till 27.07.2023.

To date for production.

A fresh vokalatnama is filed on behalf of the accused along with a bail petition praying for bail on the grounds stated therein.

Bail petition is taken up for hearing.

Heard the Ld. Special P.P.-in-charge and Ld. Lawyer for the accused. Perused the bail petition and record. Considered.

Ld. Lawyer for the accused submits that charge sheet has been submitted against the accused and as such, detention of the accused is not required for the purpose of investigation. He further submits that there is contradiction between statements of victim girl under section 161 Cr.P.C. and section 164 Cr.P.C. The accused is innocent and as such, he 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 and his prayer for bail was rejected only on 26.06.2023.

It transpires from record that charge sheet has been submitted against the accused under section 376 of I.P.C. and section 6 of P.O.C.S.O. Act. On careful perusal of charge sheet as well as documents relied on by the prosecution it appears that there are sufficient materials against the petitioner showing his direct involvement in the alleged offence.

Considering the nature and gravity of the offence and involvement of the accused in the alleged offence, I am not inclined to enlarge the accused on bail. Hence, prayer for bail of the accused is rejected.

Copy has already been supplied to the accused.

Accordingly, fix **27.07.2023** for consideration of charge.

To date also for production.

Dictated & corrected by me.

Sd/- (Sri M.K. Rai)

Judge, Special Court

Sd/- (Sri M.K. Rai)

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