

S. T. (P.O.C.S.O.) 31 (09) / 2022
(C.N.R. - WBHG05-000895-2022)

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

Order No. 34
06.02.2025

Today is fixed for hearing of the bail petition on behalf of the accused Arijit Chakraborty.

The defacto is present.

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

Heard both sides over the bail petition.

Ld. Defence Counsel submitted that the accused is in custody for more than one year. Due to a long pending dispute over property the accused has been falsely implicated in the case. Ld. Advocate further referring to the evidence of the victim girl, her mother and father stated that there is discrepancy in their evidence as regards the fact of the parents of the victim girl being present in the house at the time of commission of the alleged offence. Ld. Advocate further stated that as per seizure list a red panty belonging to the victim girl has been seized but F.S.L. report came in respect of a blue coloured torn panty. That considering the detention of the accused and the evidences, the accused be granted bail under any condition.

Ld. Prosecution opposed the bail prayer stating that the accused is the uncle of the victim girl. That the case is under section 6 of P.O.C.S.O. Act. The victim girl had during her evidence stated the fact of the accused committing penetrative sexual assault. F.S.L. report showed detection of semen in the panty.

Considered submission of Ld. Advocates of both sides. Perused the materials in the case record and the evidences.

Considering the evidences on record, the nature of the case and also the fact that the bail prayer of the accused had been rejected by the Hon'ble Court, the bail prayer of the accused stands rejected.

To date.

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

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