

Special (P.O.C.S.O) 40 / 2025
(C.N.R. - WBHG05-000102-2025)
Present: Smt. Ratna Roy
Judge, Special Court-cum-
Additional Sessions Judge, 1st Court,
Serampore, Hooghly.
(J.O. Code : WB00914)

Later:- Order no. 17 dated 22.09.2025

The bail application on behalf of the accused namely, Janab Ali, which is fixed for hearing today is taken up.

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

De-facto complainant did not personally appear but Ld. Advocate for the de-facto complainant is present.

Heard the bail petition.

Ld. Defence Counsel submitted that the accused is in custody since 09.06.2025. The de-facto complainant along with her family members were traveling in a train, in which the accused was also traveling. The train was very crowded. The accused gave his seat to one of the elderly members of the de-facto complainant's family and was standing in front of the said seat. The train was over crowded. While the accused was trying to take out his mobile phone, his hand may have somehow touched the body of the victim girl. There was no sexual intent on the part of the accused. Charge-sheet has already been filed in this case. Considering the detention of the accused he be granted bail under any condition.

Ld. Special PP-in-charge submitted that the allegation against the accused is of repeatedly touching the breast and knees of the victim girl, who is a minor. The accused is resident of Tufanganj, Coochbehar. The Hon'ble High Court at Calcutta had rejected the bail prayer of the accused after filing of charge-sheet.

Ld. Advocate for the de-facto complainant opposed the bail prayer and had made the same submission, as has been made by Ld. Special PP-in-Charge.

Considered submissions, as made. Perused the materials on record and the C.D.

On perusal I find that the victim girl, who is aged 10 years had corroborated the F.I.R in full during her statement under section 183 and 180 of BNSS. Charge-sheet has been filed against the accused under section 8/10/12 of POCSO Act. After charge-sheet had been filed, the accused went to the Hon'ble Court praying for bail and his bail prayer had been rejected.

Considering the same, I do not find it to be a fit case to grant bail to the accused. Hence, the bail prayer of the accused namely, Janab Ali stands rejected.

To **16.12.2025** for production of the accused and consideration of charge.

D/C by me.

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

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