

S. T. (P.O.C.S.O.) 12 (10) / 2021
Special (P.O.C.S.O.) 25 / 2021

Order No. 01 dtd. 07.10.2021

Sole accused Surajit Kukri is produced from correctional home. He is remanded to correctional home till 04.12.2021.

To date for production.

Ld. Lawyer for the accused appears and files a bail petition praying for bail of the accused on the ground stated therein, which is taken up for hearing.

Heard the Ld. Special P.P.-in-charge and the Ld. Lawyer for the accused.

Perused the bail petition and the record. Considered.

Ld. Lawyer for the accused submits that this is a case under sections 376/506 of I.P.C. and section 4 of P.O.C.S.O. Act. Charge sheet has already been submitted in this case. Detention of the accused is not required for the purpose of investigation. The accused is neighbour of the victim and there is no chance of his absconction. He shall face the trial. He prays for bail of the accused on any condition.

Ld. Special P.P.-in-charge opposes the prayer for bail and points out that this is a case in which the victim became pregnant allegedly due to the sexual act of the accused and she had to be aborted under the order of the court.

This is a case in which charge sheet has been submitted against the accused under sections 376(3)/506 of I.P.C. read with section 6(1) of P.O.C.S.O. act. Charge sheet has been submitted against the accused.

Considering the nature and gravity of offence, I am not inclined to enlarge the accused on bail at this stage. Hence, prayer for bail of the accused is rejected.

Now, the case is taken up for consideration of charge.

Ld. Prosecutor opens the case by describing the charge brought against the accused person and by naming the witnesses by whom he intends to prove the charge against the accused person.

Ld. Lawyer for the accused person raises objection.

Heard both sides. Perused the materials on record and C.D. Considered.

There are sufficient materials to presume that the accused person has committed offence punishable under sections 376(3)/506 of I.P.C. read with section 6 of P.O.C.S.O. Act. Accordingly, charge is framed against the accused person under sections 376(3)/506 of I.P.C. read with section 6 of P.O.C.S.O. Act and kept with the record in a separate prescribed form.

The contents of charge is read over and explained to the accused person and he was asked whether he pleads guilty or not. The accused person pleads not guilty and claims to be tried.

Accordingly, fix **04.12.2021** for evidence of victim girl.

Prosecution is directed to take steps for issue of summons upon the witness and to produce alamat, if any.

Dictated & corrected by me.

Sd/- (Sri M.K. Rai)
Judge, Special Court

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