

S T 171 of 2023.

Order no.01 dt.12.07.23.

Received the record being Spl T R case no.119/18 from Judge, POCSO Court, Howrah as per forwarding letter of Judge, Spl POCSO Court, Howrah vide reference no.629 / POCSO / HWH /2023 dt. .10.07.2023 in view of order of Ld District Judge, Howrah vide order no.107/G dt. 07.07.2023.

Let the case be registered as Sessions Trial Cases.

To date.

Addl. Sessions Judge,
2nd Court, Howrah.

Later

Two accused persons namely (1) Pradip Kr Gupta and (2) Dinesh Gupta are present by filing haziras and one other accused namely Sarat Gupta is absent by filing a petition u/s 317 CrPC for representing on behalf of the accused.

Four accused persons namely (1) Susmita Roy @ Mampi (2) Amit Das (3) Doli Das and (4) Rupam Basak are produced from J/C.

Fix 17.08.23 for production and appearance of the accused persons.

Addl. Sessions Judge,
2nd Court, Howrah.

Order no.04 dt.12.08.22.

Today is fixed for production of the accused person and I/O's report.
The accused is produced from J/C.
I/O's report in final form has been received.
Fix 26.08.22 for production of the accused supply of copy.

Judge, Spl Court under POCSO Act cum
Addl. Sessions Judge, 2nd Court,Howrah.

Criminal Misc Case No.2118/22

Order no.05 dt.12.08.22.

Record is taken up for hearing application of the accused Abhishek Parihar u/s 439 CrPC.

Bail application of accused is taken up for hearing.
Ld Spl Public Prosecutor in charge files a petition praying for another date.
Heard. Considered and prayer is allowed.
Accordingly, hearing is adjourned today.
Fix 25.08.22 for hearing of the bail application u/s 439 Cr.P.C.

Judge, Spl Court under POCSO Act cum
Addl. Sessions Judge, 2nd Court,Howrah.

Order no.09 dt.28.07.22.

Today is fixed for production of the accused persons and I/O's report.

The accused are produced from J/C.

I/O's report in final form has not yet received.

Fix 10.08.22 for production of the accused and I/O's report.

Judge, Spl Court under POCSO Act cum
Addl. Sessions Judge, 2nd Court,Howrah.

Criminal Misc Casse No.1878/22

Order no.10 dt.28.07.22.

Record is taken up for hearing bail application of the accused persons namely (1) Badal Mondal @ Mukhtoj Ali Mondal (2) Raja Mondal @ Mahammad Ali Mondal (3) Jasimuddin Mondal @ Jasim & (4) Gora Mondal @ Mohasin Mondal u/s 439 CrPC.

Ld Lawyer for the accused person files an adjournment petition.

Heard. Considered. The prayer is allowed.

Fix 10.08.2022 for hearing the instant Misc Case.

Judge, Spl Court under POCSO Act cum
Addl. Sessions Judge, 2nd Court,Howrah.

Order no.11 dt.13.07.22.

Record is taken up for hearing bail application of the accused persons namely (1) Sk. Mosaraf @ Lalu & (2) Tohidul Mullick @ Hasibul u/s 439 CrPC.

Ld Lawyer for the accused person moving the bail application submits that the charge sheet has already been submitted and they have no any criminal antecedents of the accused persons, bail may be granted at any condition as deems fit and proper. Ld. Advocate further submits that there is no order of rejection or pending hearing before the Higher Forum. Further submits that the VG did not inform alleged incident immediately either to her parents or anybody else and there is long gap from the alleged date of incident and the lodging of FIR and so the story of baby on womb has created prima facie doubt on the face of prosecution case regarding actual involvement of these two accused persons and so considering such kind of suspicious and shadow of doubt, bail may be granted in favour of the accused person for the end of justice.

Ld Public Prosecutor in charge raises strong objection regarding the materials in the CD.

De facto complainant is present and raises her strong objection regarding bail application of the aforesaid two accused persons.

Heard both sides. Considered.

Perusing the record as well as materials in the CD and on the backdrop of submissions of both sides, it appears that there is prima facie sufficient incriminating materials in the CD which does not justify for granting bail in favour of these two accused persons and so bail prayer stands rejected.

CD be returned.

Hence, this Criminal Misc Case is disposed of.

Judge, Spl Court under POCSO Act cum
Addl. Sessions Judge, 2nd Court, Howrah.