

In the Court of Additional Sessions Judge, 1st Court, Uluberia, Howrah.
Special case No. 67/2023
Uluberia P.S. case No. 309/23, dated 04.08.2023
Present : Sandip Choudhury
(JO Code : WB 00587)

Later :dated 14.08.2023

Ld. Advocate for the accused persons namely Uttam Barik and Satyam Barik files a petition praying for bail along with vokatnama.

The bail petition filed this day is taken up for hearing.

Ld. Special P.P in-charge is present.

The Ld. Advocate for the accused persons is present and submits that the accused persons is in custody since 08.08.2023 and have been falsely implicated in this case. As such he prayed for bail on any terms and conditions.

Ld. Special PP in-charge raises objection against the prayer for bail.

Ld. Special PP in-charge submits that in the instant case section 6 of POCSO Act has been added and the detention of the accused is very early.

Heard both sides.

Perused the materials on record and in C.D.

Being heard both side and after perusing the FIR, seizure list, materials on record, 161 Cr.P.C and 164 Cr.P.C and it appears the present accused persons are not the principal accused persons. There is no allegation of sexual assault against the present accused persons not even against the principal accused. In the instant case victim has stated that there is relationship of love affairs and she voluntarily raped and spent few days with the principal accused and thereafter voluntarily came back home. Accused person is in custody since 08.08.2023. In the above facts and circumstances, I am inclined to enlarge the accused persons on bail.

Accordingly, it is

Ordered

the accused persons namely, Uttam Barik and Satyam Barik may find a bail of Rs. 2,000/- each with two registered sureties of Rs. 1,000/- each. The bond furnished shall be subject to the satisfaction of the Ld. A.C.J.M. Uluberia with condition that the accused persons shall meet the I.O. as and when directed.

To date (28.08.2023) for appearance, if on bail i.d. to J/C and I.O's report.

Let a copy of this order be sent to the Ld. A.C.J.M. Uluberia for information.

Dictated and corrected by me.

Additional Sessions Judge,
1st Court, Uluberia, Howrah.

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