

Sessions (POCSO) case no. 12/2025
CNR no. WBJP01-001224-2025

J.O Code- WB00877

Later dt. 18.9.2025:-

Bail petition moved.

Hd. Ld. Spl. PP and Ld. defence counsel.

Perused the case record and C.D.

Ld. Spl. PP raised strong objection against the prayer for bail and submitted that from the evidence of the victim girl sufficient incriminating materials came to light regarding involvement of the accused in the alleged incident.

On the other hand, Ld. defence counsel submitted that the victim girl was aged about 17 years at the time of occurrence of the alleged incident and there was a romantic relationship between them and she voluntarily went with the accused on several places. He further submitted that if at all any sexual assault took place it was consensual due to their relationship. He also submitted that the evidence of the victim girl has already been recorded and at this stage, the accused may be enlarged on bail.

I have gone through the evidence of the victim girl wherein she disclosed her date of birth as 01.01.2008. The FIR was lodged on 30.01.2025. The case record further reveals that the accused is in custody since 30.01.2025.

Considering the fact that evidence of the victim girl has already been examined and also considering the period of incarceration, further detention of the accused appears to me no longer necessary.

Hence, prayer for bail of the accused stands allowed in interim form.

Accordingly, accused Basanta Roy may find **interim bail** upon furnishing bond of Rs.10,000/-, with two registered surety of Rs.5,000/- each, subject to the satisfaction of the Ld. CJM Jalpaiguri and also on condition that he shall not intimate the witnesses nor tamper into the evidence and he shall not enter into the jurisdiction where the victim girl resides and he shall attend the court on each and every date during trial.

If on interim bail, todate 28.10.2025 for appearance and evidence of CSW 1.

Issue summon accordingly.

Let a copy of this order be also forwarded to the Ld. CJM, Jalpaiguri for information and necessary action.

Documents relating to the identity of the victim girl be kept in a sealed envelope.

D/C by me

Judge, Special Court,
(Under POCSO Act)
2ndCourt, Jalpaiguri

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