

S.C. No. 82 of 2024 (POCSO)
Mal PS Case No. 601/24 dated 16.10.2024
U/s 06 of POCSO Act

Order Dated 23.12.2024

Today is fixed for hearing of bail application.

Ld. PP in Charge is present with CD.

Ld. Advocate for the accused Rustam Munda is also present.

The bail petition is taken up for consideration.

The father of the VG is present who has also filed a petition stating inter alia that there was love affair relation between the accused and the VG and they have already decided to arrange marriage between them as per their customs and due to detention of the accused, his daughter is now passing her days with great distress.

I have heard the submission of Ld Advocate for the accused who submitted that the accused is languishing in CCH since 16.10.2024 and it was also stated that there was love affair relation between accused and the victim who has already delivered a male child and this accused is very much ready to face the trial on any terms and condition if he enlarge on bail. It was also submitted that he has not preferred any bail application before any higher forum or rejected.

On the other hand, Ld. PP in Charge raised objection.

Perused the bail petition as well as case record from where it appears that this accused is in custody since 16.10.2024 and in the mean time, police has already completed their investigation as such considering the above facts and circumstances, in the light of very assurance of the accused as well as period of detention and keeping in mind the submission of the parties and also the fact that this case was initiated by the doctor , I find that this accused may enlarged on interim bail.

Accordingly, accused Rustam Munda may find interim bail of Rs. 500/- with one surety of like amount to the satisfaction of Ld. CJM, Jalpaiguri on condition that after release from the custody he must attend this court once in a week till further order and also not make any threat or influence any witness in connection with this case.

Fix (04.01.2025) for appearance if on bail and copy.

Let the copy of the order be communicated to the Ld. CJM, Jalpaiguri for information and necessary action **with a request** that if the accused furnished bail bond before him he may issue release order in this case with intimation, copy be also provide to the Ld. Lawyer for the accused for his information.

CD be returned.

Dict & Corrected by me

Sd/-
i/c Addl. Sessions Judge
FTC 2nd Court, Jalpaiguri

Sd/-
I/C Addl. Sessions Judge
FTC 2nd Court, Jalpaiguri

No. /ADJ/Mal/Jalpaiguri

Dated

Copy forwarded to :-

1. The Ld. CJM, Jalpaiguri for information and necessary action.

I/C Addl. Sessions Judge
FTC 2nd Court, Jalpaiguri