

J.O Code : WB 00894

In the court of Judge (Special Court) POCSO Act at Basirhat, North 24 Parganas.

Present : L.Golder ,

Judge (Special Court) POCSO Act

SPL CASE NO. 80/2022

4/ 05.11.2022

Accused Mostakin Kayal is produced from J.C and taken into custody and is remanded to J.C till

An application has been filed on behalf of the accused Mostakin Kayal praying for bail on the ground stated therein.

At the very outset, Learned Advocate for the accused/petitioner submits before this Court that no such application u/s 438/439 Cr.P.C is either pending and/or disposed of in the negative by the Hon'ble High Court or Supreme Court .

The Ld. Advocate for the accused submits that the incident happened on 23.09.2022 and FIR was lodged falsely against the accused on 26.09.2022 though no such incident as it is alleged in the FIR was ever occurred and this accused is falsely implicated in this case and therefore, the accused may be released on bail on any terms and conditions .

The Ld. Spl. P.P raises objection against the bail prayer.

It appears from the C.D and materials on records that the accused is in custody since 27.09.2022.C.D reveals that the father of the victim girl / the de facto complainant refused to hold medical examination of the victim girl . It further appears that the investigation has sufficiently proceeded. Further detention of the accused will not serve any fruitful purpose. Hence, I am of the view the accused may be released on filing bail bond of Rs. 6000/- with two sureties of Rs. 3,000/- each, out of whom one must be local, subject to the satisfaction of Ld. ACJM, Basirhat , on condition that he will meet with I.O one in a week till completion of investigation .

If on bail to 28.03.2023 for appearance/I.O's report .
dictated & corrected by me

Judge,Spl. Court (POCSO Act)

Judge,Spl. Court (POCSO Act)

