

Special Case No. 36 of 2015
(Under POCSO Act, 2012)

Order No. 11 dated 31/08/2015

Accused persons namely, Gobinda Mondal and Prosenjit Mondal are produced from the Central Correctional Home, Jalpaiguri and placed on the dock.

A bail petition is filed on behalf of the above named accused, praying for bail on the grounds stated in the body of the application. Copy served upon the Ld. P.P. , Jalpaiguri.

Accused Sanjit Mondal on court bail is present by filing hajira. He is also placed on the dock.

Today is fixed for production and I.O.'s report.

C.D. is not produced today.

Perused the bail application.

Heard both sides at length.

Ld. Counsel appearing for the above named accused persons has drawn my attention to the contention of the F.I.R and boldly submitted that Sanjit Mondal who is on court bail is the prime accused of the present case. It is also submitted that there is no allegations against the accused Prosenjit Mondal and Gobinda Mondal for committing any sexual offence upon the victim. Ld. Counsel has prayed for bail on any stringent condition.

On the other hand, Ld. P.P., Jalpaiguri has submitted that the Ld. Court may pass any order as it deems fit and proper for the sake of justice.

It reveals from the case record that Sanjit Mondal is the prime accused of the present case and he was enlarged on bail on 24.6.2015 vide order No.6 on perusal of the F.I.R.

Considering the facts and circumstances of the case and having considered the submission of the respective Ld. Counsels and keeping in mind the detention period of the accused persons behind the bar, I am inclined to allow the prayer for bail in respect of the above accused persons at this juncture.

Hence, the bail prayer is allowed.

Accused Prosenjit Mondal and Gobinda Mondal may find a bail of Rs.3000/- each with two registered sureties of Rs.1500/- each subject to the satisfaction of the Ld. C.J.M., Jalpaiguri, on condition to meet the I.O. as and when directed to do so i.d. to Correctional Home.

Fix **15.09.2015** for appearance, if released on bail today.

Todate for I.O.'s report.

Dic & Cor by me.

Judge, Special Court
(Under POCSO Act,2012),
Jalpaiguri.

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(Under POCSO Act,2012),
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