

Special Case No.119/2022

Present :Smt. Papiya Das (J.O.No. WB00736)
Judge, Special Court,
Alipurduar.

Order no.8
dt.05.01.23.

Accused Jakir Hossain is produced from J/C.

Received charge sheet no.752/22 dt. 16.12.22 u/s 376 AB IPC read with Section 6 of POCSO Act against accused Jakir Hossain submitted by the I.O, S.I. A.K.Azad Sarkar of Falakata P.S in connection with Falakata P.S FIR no. 611/22 dt.11.11.22.

Cognizance is taken.

A bail petition is filed on behalf of the said accused.

Heard Ld. Defence counsel as well as Ld. Special P.P.

Ld. Defence counsel submits that charge sheet is submitted in this case and investigation is complete. He further submits that there is no need for further custodial interrogation and thus prays for bail on that ground.

Ld. Special P.P submits that the VG is 12 years age at the time of commission of the offence and her statement recorded u/s 164 Cr.P.C levelled direct allegation against this accused. He thus raises strong objection against bail prayer of the accused.

Perused the materials on record as well as on CD including statement of VG recorded u/s 164 Cr.P.C. I find that indeed the VG is a minor girl of 12 years and her statement recorded u/s 164 Cr.P.C directly implicate this accused. In my considered view, if the accused be released on bail then there will be every possibility of tampering evidence and influencing reliable witnesses.

Considering the materials on record as well as on CD, I am not inclined to enlarge the accused person on bail.

Hence his bail prayer is **rejected**.

Fix 28.02.23 for production and for consideration of charge.

Dict.& corr. by me

Judge, Special Court,
Alipurduar.
Alipurduar.

Judge, Special Court,