

CNR No.WBPU01-001427-2023.

In the Court of A.D.J, 2nd Court, (Spl. Court under POCSO Act) Purulia.
Sessions (Spl.) Case No.34 of 2023

Sessions Trial No.129 of 2023

[Barabazar P.S. Case No.74, dt.18.05.23, U/s.363,365,323,506,109 IPC & U/s.6, POCSO Act.]

Or. No.15

Dt.03.04.24

Accused Bishnupada Mahato @ Bishnu Mahato is produced from J.C.

Another accused namely Manju Rani Mahato, on Court Bail, is present today and has filed hazira.

Ld. Spl. P.P. Mr. A. A. Ansary is present.

Ld. Defence Lawyer Mr. Anirban Chowdhury is also present.

Today is fixed for evidence from prosecution side.

No witness is present today.

The case record shows that today is also fixed for hearing of the bail petition dt.01.04.2024 for accused Bishnupada Mahato @ Bishnu Mahato.

Ld. Spl. P.P Mr. A. A. Ansary is present with C.D.

The defacto complainant of this case is present and Ld. Advocate, appointed by DLSA, Purulia for the defacto complainant, is also present and has filed the hazira of the defacto complainant (father of the V.G).

The bail petition dt.01.04.2024 for accused Bishnupada Mahato @ Bishnu Mahato is accordingly taken up for hearing.

Perused the materials on record as well as in the C.D. Heard both sides. Considered.

At the time of hearing, Ld. Advocate for said accused person has submitted that said accused is in custody since long and that said accused may be released on bail on any condition.

Ld. Spl. P.P has raised objection to the instant prayer for bail and has submitted that there are incriminating materials in the C.D against **accused Bishnupada Mahato @ Bishnu Mahato** and that in the instant case the statement of the victim girl has been recorded U/s.164 Cr.P.C.

Ld. Spl. P.P has further submitted that the defacto complainant (father of the V.G) has objected to the instant prayer for bail of **accused Bishnupada Mahato @ Bishnu Mahato** at this stage.

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On perusal of the materials in the C.D, it appears that in this case charge has already been framed against the accused U/s.363/365 IPC & U/s.6 of the POCSO Act r/w S.376 IPC against the 02 accused persons of this case including **accused Bishnupada Mahato @ Bishnu Mahato**.

Perused the statement of the victim girl recorded u/s.164 Cr.P.C and other materials in the C.D.

Considered.

Considering the nature of the alleged offence, the seriousness of offence, the materials in the C.D against the present accused person including the statement of the victim girl made U/s.164 Cr.P.C and also considering the submission of both the sides, I am not inclined to enlarge the accused on bail at this stage.

Accordingly, prayer for bail for accused Bishnupada Mahato @ Bishnu Mahato is hereby rejected at this stage.

The bail petition dt.01.04.2024 of accused Bishnupada Mahato @ Bishnu Mahato is accordingly disposed of.

Return the C.D.

Today is the last date of the schedule for evidence from prosecution side.

The following dates have been fixed for evidence for the prosecution witnesses.

To 18.06.2024, 19.06.2024 & 20.06.2024 for evidence from prosecution side.

Prosecution is hereby directed to produce the seized Alamats if any, and the witnesses on the next dates.

Accused Bishnupada Mahato @ Bishnu Mahato is hereby remanded to J.C till next date.

Another accused namely Manju Rani Mahato is on Court Bail as before.

D/c. by me

Judge

ADJ, 2nd Court, Purulia.
[Spl. Court under POCSO Act]
J.O. Code : WB00673.

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