

SC 02 of 2023 (P)

Mal PS Case No. 42/23 dated 19.01.2023

u/s 6 of POCSO Act.

CNR No. WBJP090000072023

JO CODE: WB00616

Order No. 10 dated 22.02.2023

Ld. PP in Charge and Ld. Lawyer for the accused are found present.

Date is fixed for hearing of the bail application dated 16.02.2023.

Heard both side.

Ld. Advocate for the accused submitted that the entire case record and relevant documents suggest that the victim is in deep love in relationship with the accused and at the relevant time, the father of the victim could not accept such relationship and as such, being misguided by the people of the locality, he lodged the complaint against the accused. He further submitted that the father of the accused expired on 13.02.2023 and this Court released the accused on parole on 14.02.2023. He further submitted that the accused being the elder son of his deceased father, he has to observe customary funeral ceremony. He further submitted that the documents suggest a scope of mitigation between the parties for better life of the victim girl. He prayed for bail on any condition.

Ld. PP in Charge raised mere formal objection and placed the CD before this court.

Perused the materials from the record and CD. I have also perused the statement of the victim girl. It is found that the complainant and the VG and the mother of the accused present in person. The accused is produced before this Court on 20.01.2023. It is fact that his father expired on 13.02.2023.

Considering the entire facts and circumstances and materials on record and CD and also considering the submission of both side, I find justification to release the accused on interim bail.

Therefore, the accused namely, Asish Lohar @ Rahul may find an interim bail of Rs. 2,000/- with one surety of like amount subject to satisfaction of the Ld. CJM, Jalpaiguri i/d J/C till 06.03.2023.

To date i.e. 06.03.2023 for appearance if on bail.

Return CD.

A copy of this order be sent to Ld. CJM, Jalpaiguri for information and necessary action.

Dict & Corrected by me
Sd/-

Sd/-

Addl. Sessions Judge
Mal, Jalpaiguri

Addl. Sessions Judge
Mal, Jalpaiguri

No. /ADJ/Mal/Jalpaiguri

Dated

Copy forwarded to :-

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

Addl. Sessions Judge
Mal, Jalpaiguri

