

SC No. 10 of 2021 (POCSO)
Mal P.S Case No.173/21 dated 09.04.2021
u/s 6 of POCSO Act
CNR No. WBJP090000812021
JO CODE: WB00701

Order dated 20.07.2021

Today is fixed for hearing of bail petition.

Accused Umesh Das is produced from CCH, Jalpaiguri.

Perused the bail petition on behalf of accused Umesh Das duly supported by an affidavit which suggests that no bail application is pending before any higher forum.

The Ld. Addl PP is present and submitted that he was informed by the complainant that he will not turn up due to unavoidable circumstances.

Copy served.

Heard the Ld. Lawyer on behalf of the accused.

Ld. Lawyer on behalf of the accused submits that the accused is in custody since 07.05.2021.

It is also submitted that the accused is 58 years old man.

It is submitted that the accused has been falsely implicated.

It is submitted that there is no seriousness in the offence and the story is cooked up due to previous enmity.

It is also submitted that keeping in mind the period of detention, the accused may be released on bail.

Ld. Addl PP opposes the prayer for bail and draws the attention of this Court to the 164 CrPC Statements and medical papers which indicates the offence.

Considered.

Perused the medical report and the 164 CrPC Statement of the VG and the complainant.

As the allegation against the accused is grave and serious, I am reluctant to grant bail at this stage.

Hence, the prayer for bail is considered and rejected.

Fixed 20.08.2021 for production and Charge.

Addl. Dist. & Sessions Judge
Mal, Jalpaiguri