

SC 26 of 2024 (P)

Mal P.S Case No. 236/2024 dated 03.05.2024

u/s 6 of POCSO Act
CNR No. WBJP090000462023

Order dated 15.01.2025

Accused is produced from JC who has also prayed for bail through his engaged Lawyer.

The court is lying vacant due to retirement of the then PO.

Ld. PP in Charge is present.

Record is taken up for hearing of bail application filed on behalf of the custody accused where Ld. Advocate for the accused submitted that this accused is languishing in correctional home since 04.05.2024 and in the mean time, police has also submitted charge sheet. As such, court may grant bail on any terms and condition.

Ld. PP in charge raised objection on the ground of severity of the punishment and also the very nature and manner of the offence.

Perused the bail application as well as the case record from where it appears that police has already submitted charge sheet against the present accused for the commission of offence punishable u/s 06 of POCSO Act and consideration of the charge over the alleged offence is not taken place.

Therefore, considering the above facts and circumstances, in the light of allegations as labelled against him, and also the very stage of the case, I am not inclined to allow the bail prayer of this accused at this stage.

Thus, the bail prayer is disallowed at this stage.

Fix: 28.02.2025 for production and consideration of charge.

Accused is remanded back to JC till next date.

Dic. & Corrected by me

i/c Judge, Special Court,
(under POCSO Act,2012)

i/c Judge, Special Court,
(under POCSO Act,2012)
Mal, Jalpaiguri.

