

SC 52 of 2023(P)  
Nagrakata PS Case No. 162 dated 29.10.2023  
u/s 12/18 POCSO Act R/W 354A/354 D/509 of IPC  
JO CODE: WB00616

**Order dated 30.11.2023**

Accused Kader Ali is produced from J/C.

Ld. PP in charge and Ld. Advocate for the accused are found present.

The complainant is found present.

Heard both side.

Ld. Advocate for the accused submitted that the accused is a day labourer and residing within the jurisdiction of the court having his permanent abode at District Malda. He is having his wife and children residing at Kathalguri within PS-Malbazar. It is further submitted that the fact as disclosed in the written complaint is somewhat absurd and he honestly submitted that the accused never abused the victim girl over phone. He prayed for bail on any condition.

Ld. PP in charge though taken lenient view, but raised formal objection.

Considered.

Perused the relevant materials from the case record and the CD.

I find that the accused is in custody since 30.10.2023 and the process of investigation has reached almost its final stage. I have also considered the nature of offence and the allegation thereof. Considering the submission of both side and also consideration the entire facts and circumstances, I find justification in releasing the accused on interim bail.

Hence, the accused Kader Ali may find an interim bail of Rs. 2,000/- with one surety of like amount subject to satisfaction of Ld. CJM, Jalpaiguri.

The interim bail is valid till 09.02.2024.

Fix **09.02.2024** for appearance if on bail.

Accused be remanded to J/C and be produced on date fixed.

To date for appearance, if on bail.

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

Return CD.

Dict. & Correct. By me  
Sd/-  
A.S.J.

Sd/-  
Addl. Sessions Judge, Spl. POCSO  
Court, 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