

S.C. No. 60 of 2023 (POCSO)
Matelli P.S Case No. 231/23 dated 08.12.2023
u/s 8 of POCSO Act r/w Section 341/324/326 IPC
JO CODE: WB00616

Order Dated 19.12.2023

Ld. Advocate for the accused Akash Naik found present.

Ld PP in charge is found present.

Date is fixed for hearing of bail application.

Complainant is found absent.

Heard both side.

Ld. Advocate for the accused submitted that the accused Akash Naik is the cousin of the complainant Hema Rani Oraon. He further submitted that there is a long standing dispute in between Akash Naik and Robert Oraon, the husband of the complainant. It is further submitted that Robert assaulted accused Akash on 06.12.2023 for which accused Akash Naik was treated at Mal SD Hospital. It is submitted further that a scuffle took place in between Robert Oraon and accused Akash wherein both of them sustained injuries and to take revenge against Akash, a story has been cooked up and placed before police authority to teach him a lesson. He submitted that the accused has had no intention to do any act towards the victim girl, the daughter of the complainant. He prayed for bail on any condition.

Ld. PP in charge raised objection and placed the CD before this court.

Considered.

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

On perusal of the statement of the victim girl and the other vital witnesses, I find that there exists a dispute in between the two families which resulted in this case. The accused is in custody for a considerable period and I find less justification to detain him further in custody. The accused being a local person having definite abode, has less chance of abscondence.

Therefore, the accused Akash Naik may find an interim bail of Rs. 2,000/- with one surety of like amount subject to satisfaction of Ld. CJM, Jalpaiguri, with a condition to attend before the IO of this case once a week till the conclusion of the investigation, i/d to J/C.

The interim bail is valid till 20.02.2024

Fix **20.02.2024** for appearance if on bail and IO's report.

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.

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