

CNR No.WBDJ070001252025

JO Code : WB00953

Special POCSO Case No. 17/2025

Order No. 18

Dated 04.08.2025

Today is fixed for surrender of the accused and further order.

Accused namely Rudra Prasad Sharma surrenders before the court in compliance of order dated 27.07.2025.

One application has also been filed on behalf of the accused praying for confirmation of interim bail granted to the accused vide order no. 15 dated 14.07.2025.

Copy has duly been served upon the Ld. Special P.P.

Heard both sides at length.

The Ld. Counsel for the accused submits before the court that certain religious rituals are yet to be performed by the accused being the elder brother of the deceased for which the confirmation of bail is absolutely required for the said purpose.

The certificate issued by Pradhan, Paiyong G.P. has also been annexed with the application.

Ld. Special P.P., on the flip side, has not raised objection considering the ground cited by the accused.

This case has been initiated against the accused on the allegation of having committed the offence punishable u/s 8 of POCSO Act. The charge sheet has already been filed u/s 8 of POCSO Act on 21.07.2025.

The accused was brought under arrest on 20.05.2025 and he remained in custody till 14.07.2025.

However, considering the seriousness of the allegation and also taking into account of the absence of defacto complainant for the purpose of proper adjudication of bail application or confirmation of interim bail, I do not find any cogent reason to confirm the interim bail of the accused in absence of the defacto complainant.

However, the interim bail granted to the accused vide order dated 14.07.2025 is hereby extended till the appearance of defcto complainant i.e. on 28.08.2025.

Issue notice upon defacto complainant at once asking her to appear in person for the purpose of proper adjudication of prayer for confirmation of interim bail as prayed for by the accused.

The accused is directed to surrender before the court on the date fixed.

Fix 28.08.2025 for surrender of the accused, appearance of defacto complainant, hearing of application for confirmation of interim bail and supply of copies.

The application for confirmation of interim bail be kept in abeyance till the appearance of defacto complainant.

D&C by me

Sd/-

Judge, Special Court (POCSO)

Kalimpong

Sd/-

Judge, Special Court (POCSO)

Kalimpong

