

IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE,
SPECIAL POCSO 2ND COURT, MALDA.

POCSO 65/2021

Present : Sushmita Gayen
Judge, Special Court,
ADJ 2nd Court, Malda

Order No 63
dated 19-05-26

The record is put up today on the strength of a put up petition filed by the accused.

One bail application is filed by the Ld. Advocate on behalf of accused Dipak Roy.

Copy served.

The said bail application is taken up for hearing in the presence of Ld. Spl.P.P and Ld. Advocate for the accused.

The Ld. Advocate on behalf of the accused submits that the Hon'ble Supreme Court was pleased to direct this court to complete the trial within a period of nine months and he therefore prays for bail.

The Ld. SPL.P.P raises objection and states that nine months is not yet over and he therefore prays for rejection of the bail.

Heard both sides.

Considered.

Perused the order of the Hon'ble Supreme Court. From the order it appears that the said order was passed on 25-09-2025 and vide the said order the Hon'ble Apex Court of our land was pleased to direct that **"We dispose of this Special Leave Petition by directing the concerned Special Court to conclude the trial within a period of nine months from today"**. Today is 19th May, 2026 and from 25-09-2025 to 19-05-2026 the total period is 07 months 24 days so 01 months 06 days is still left for completion of nine months.

The order of the Hon'ble Apex Court was received by this Court on 14-01-2026 and in spite of the Court being away for more than 40 days to perform SIR work, 08 witnesses have been examined till date.

In the given premises, since the Hon'ble Supreme Court has fixed the time of nine months to complete trial and the Hon'ble Supreme Court was further pleased to direct that **"Should the trial be inconclusive by then, liberty is reserved to the petitioner herein to seek regular bail"**, the question of granting bail does not arise at all at this stage. Bail prayer is absolutely infructuous and does not call for any order.

Fix 02-06-26 for production and further evidence.

Dictd. & Corrtd. by me,

Judge, Special Court,
ADJ 2nd Court, Malda.

Judge, Special Court,
ADJ 2nd Court, Malda

No. / ADJ-II, Malda, Dated 18-05-2026

To: Ld. Chief Judicial Magistrate, Malda
Copy of order be sent for information and necessary action.

***Judge, Special Court,
ADJ 2nd Court, Mald***

Accused details

P.S Case No Baishnabnagar P.S Case no 357/2025 dated 29-03-2025

Name of the accused Nasiruddin Sk.

Father's Name Siddik Sk.

