

**Ref:-Kaliachak P.S. Case No. 1602/2023 dated 19-12-2023 U/S.
323/341/506/34 of I.PC r/w sec. 8 of POCSO Act, 2012.**

POCSO Case No. 213/2023
Present : Shri Rajib Saha
Judge, Special Court,
ADJ 2nd Court, Malda.

Order No.02
03-01-2024

Today is fixed for production, hearing of bail petition and report of I.O.

CD is produced.

Accused Shyamal Mandal and Bijay Mandal have been produced from J.C and remanded back to J.C.

One bail petition has been filed on behalf of the above named accused persons.

The bail petition is taken up for hearing.

Heard both sides. Considered.

Ld. Advocate for the accused has submitted that the accused persons are in custody since 20-12-2023 and the main allegation against the principal accused namely Shyamal Mandal is for splashing the water to the VG and false implication of the case against the principal accused and his father. The Ld. Advocate for the accused urged for bail of Bijay Mandal, father of the Shyamal Mandal a man of 60 years who has no involvement in the alleged crime at all.

The Ld. SPL. P.P raised no objection in respect of accused Bijay Mandal being the father of the principal accused since no involvement could be found from the CD but raised strong objection for the bail prayer of accused Shyamal Mandal who has caught the V.G over the road in an indecent manner and abused the V.G along with another girl by thrashing them on the ground.

Perused the materials on record and CD.

Considering the facts and circumstances of this case I am not inclined to allow the prayer for bail of the accused Shyamal Mandal. Accordingly the bail prayer of the accused **Shyamal Mandal stands rejected.**

The bail prayer of the accused **Bijay Mandal is allowed** as no involvement could be found from the materials on record against him. The accused Bijay Mandal may be released on bail by furnishing bail bond of Rs. 3,000/- with two regd. Sureties of Rs. 1,500/ each subject to the satisfaction of the Ld. CJM, Malda.

If on bail to date (17-01-2024) for production, appearance and I.O's report.

Call for CD for further development if any in the mean time.

Let a copy of this order be sent to the Ld. C.J.M. Malda for information and taking necessary action.

Dictd. & Corrted. by me,
Judge, Special Court,
ADJ 2nd Court, Malda.

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