

**In the Court of the Additional District & Sessions Judge, 2nd Court,
Krishnagar, Nadia**

Present : Sri Nirvan Khesong
J.O. Code No. WB00662
Judge, Special Court Under POCSO Act,
Nadia at Krishnagar

POCSO Case No. 58/2023

Order No. 28 Dated 13.02.2025 :

One bail petition had been filed by the Ld. Advocate on behalf of the accused **Prasenjit Ghosh**.

Ld. Advocate for the accused is present.

Ld. Special P.P. (POCSO) is also appeared for the State.

Heard the Ld. Advocate of both sides.

Ld. Advocate for the accused submitted that the accused is in custody since long and the charge sheet of this case has already been submitted after completion of investigation U/Sec. 6 of POCSO Act. He further submitted that the accused is in custody since 10.05.2023. He further submitted that the evidence of VG and the de-facto complainant has already been exhausted and there is no materials to detain the accused in custody any further and, thus, he prays for bail on any terms and conditions.

On the other hand, Ld. Special PP (POCSO) raised strong objection on the ground that there are sufficient materials in the case record against this accused showing his involvement in the commission of offence U/Sec. 6 of POCSO Act and, moreover, the victim was aged about 04 years. He further submitted that there is sufficient materials in the statement of the VG recorded U/Sec. 183 BNSS and in the medical report. He further submitted that the trial is at the concluding stage and there is chance of absconding the accused if he is released at this stage and, as such, it is a fit case for custody trial.

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Perused the case record and the CD.

It appears from the case record as well as the CD that there are sufficient materials against this accused for commission of offence U/Sec. 6 of POCSO Act. It also appears from the record that the accused has been in custody for pretty long time and the evidence of the VG and the de-facto complainant is already concluded and there are sufficient materials in the evidence so far produced by the prosecution and there is strong allegation in the statement of the VG recorded U/Sec. 183 BNSS. Moreover, the VG is aged about 04 years.

Considering the evidence so far produced by the prosecution, materials in the case record and the gravity of the offence, I am not inclined to allow the bail petition. Accordingly, his bail prayer is rejected.

To date for production.

Dictated and corrected by me

[Sd/- N. Khesong]
Judge, Special Court,
Under P.O.C.S.O. Act.
Krishnagar, Nadia

[Sd/- N. Khesong]
Judge, Special Court,
Under P.O.C.S.O. Act.
Krishnagar, Nadia