

**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. 60/2022

Later/Dated 30.01.2025 :

One bail petition has been filed by the Ld. Advocate on behalf of the accused **Subol Biswas**.

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 aged about 75 years and he is ill. He further submitted that this accused has surrendered before this Court on 02.08.2022 and since then, he has been languishing in custody. He further submitted before the Court that the charge sheet of this case has already been submitted after completion of investigation U/Sec. 6 of POCSO Act against the present accused person. He further submitted that eight evidences on behalf of the prosecution have already been exhausted and prosecution witnesses are contradictory to each other. He further submitted that this is a false case and there is an enmity in between both the parties and GR Case No. 2435/2017 is still pending against the father-in-law and brother-in-law of the de-facto complainant 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 7 years and 6 months. He further submitted that the trial is at the concluding stage and there is chance of absconding the accused if he is

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released at this stage and, as such, it is a fit case for custody trial.

De-facto complainant is present before the Court and stated before the Court she has strong objection against the bail application.

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 as well as other evidences are already concluded and there are sufficient materials in the evidences so far produced by the prosecution. Moreover, the VG is aged about 7 years and 6 months.

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]
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Under P.O.C.S.O. Act.
Krishnagar, Nadia