

Sri Santanu Mukhopadhyay(JO Code WB 00581)
Additional District & Sessions Judge
1st Court, Bongaon, North 24 Parganas

SPL CASE NO(POCSO) : 24 of 2023

Order No.14

dated: 06.10.2023

Accused **Mahadeb Debnath** is produced from JC.

A petition for bail is filed and moved.

An affidavit is filed to the effect that here before no bail petition is pending or rejecting by any higher forum.

The prayer for bail is sought for on the ground of detention as well as handicapped.

Ld. Special PP in charge Sri Ashim Kumar Dey opposes the prayer for bail.

It appears to me that Smt. Bithika Tarafdar, Ld. Special PP in charge is not available owing to seek as reported.

The petition for bail is taken up for hearing.

It appears to me that the present petitioner is in custody since 12.04.2023. It is a case under Sec.376AB/506 IPC and 6 POCSO Act. This case is now under the stage of consideration of charge.

Ld. Advocate appearing on behalf of the present petitioner Sri Sanjoy Das appointed through SDLSC, Bongaon, humbly submits that the present petitioner is penny less and due to his extreme poverty he is languishing in jail custody till date.

Ld. Advocate also further undertakes the presence of the accused personally in this Ld. Court in the matter of granting bail as prayed for since the present petitioner having permanent hearth and home.

It is detected that the present petitioner appears to be a disabled person to some extent.

Ld. Advocate appearing for the accused again submitted that no person is there in the family of the present petitioner to look after him.

Considering all aspect and after being considered the humanitarian ground I am inclined to grant bail.

The petitioner may find bail of Rs.1000/- with two registered sureties of Rs.500/- each, subject to the satisfaction of Ld. ACJM, Bongaon, on condition that he shall not enter any

place under the jurisdiction of Gaighata PS without leave of this
Ld. Court and shall appear before this Ld. Court each and every
occasion and also furnish his detail in which place and under
jurisdiction of which PS barring Gaighata PS he will reside by
swearing an affidavit and shall not intimidate the VG or her
family or any prosecution witness and no inducement or threat to
the VG or other witnesses and also furnish better particulars of
present place of residing other than Gaighata PS before this Ld.
Court on each and every date fixing for hearing or evidence of
this case in default the order granting bail would be
automatically cancelled without further reference to this
petitioner.

If on bail to 27.02.2024 appearance positively before this
court and consideration of charge and furnishing better
particulars for compliance of this order regarding his present
whereabout as ordered.

Let a copy of this order be sent to Ld. ACJM, Bongaon, for
information.

Let a copy of this order be sent to OC Gaighata PS for
compliance.

Let a copy taking close vigilance of this accused and
monitoring the case personally.

D/C

Judge, Special Court
Bongaon, North 24 Parganas.