

In the court of Judge (Special Court) POCSO Act at Basirhat, North 24 Parganas.

Present:- *Smt Leena Goldar , J.O Code : WB 00894*
Judge, Spl(POC) Court ,
Basirhat, Dist.- North 24 Parganas.
Spl.(POCSO) Case No. 24/2024

Order No. 11 Dt. 20.06.24

Accused persons namely Ajahar Biswas @ Azad and Sahanur Biswas are produced from J.C and is remanded to J.C till next date .

Accused Monowara Bibi on C.B is absent without steps.

Surety to produce the accused on the next date positively failing which legal consequence shall follow.

One application has been filed on behalf of the accused person namely Sahanur Biswas only praying for bail on the ground stated therein.

At the very outset, Learned Advocate for the accused person Sahanur Biswas submits before this Court that no such application u/s 438/ 439 Cr.P.C is either pending and/or disposed of in the negative before any higher forum .

Ld Advocate for the present accused person Sahanur Biswas moves the bail petition on the ground stated in the petition.

Ld. Spl. P.P raises objection to the prayer for bail.

Perused the C.D and the materials on record.

Investigation completed by submission of charge sheet u/s 447/325/326/307/304/ 506/120B IPC & sec. 6 of POCSO Act. Considering the materials in C.D and the FIR, detention period , I find that the accused Sahanur Biswas may be released on bail on filing bail bond of Rs. 12,000/- with two sureties of Rs. 6,000/- each, out of whom one should be local , subject to the satisfaction of Ld. ACJM, Basirhat, till the submission of Charge Sheet .

In spite of receipt of summons de facto complainant does not turn up.

Charge Sheet reveals that Accused Sahadat Biswas, Reshma Bibi and Rubiya Bibi have been absconding and they have not yet been produced in this case.

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Issue W.A against the absconding accused persons namely accused Sahadat Biswas, Reshma Bibi and Rubiya Bibi accordingly.

Charge Sheet further reveals that Accused Mosaraf Mondal, Imam Ali Dhabak and Eyakub Dhabak have not been charge sheeted as no evidence have been found against them.

In such circumstance , issue fresh notice to the *de facto* complainant calling upon to show cause as to why Charge Sheet no. 157/24 dt.13.03.24 filed by I.O shall not be accepted.

If on bail to 31.07.2024 for appearance of accused Sahanur Biswas/ production of accused person namely Ajahar Biswas @ Azad ,E.R of W.A in respect of accused persons namely Sahadat Biswas, Reshma Bibi and Rubiya Bibi and reply of show cause by the *de facto* complainant.

dictated & corrected by me

Judge,Spl. Court (POCSO Act)
Basirhat, North 24 Parganas

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