

SPL 58 of 2025

Present: SUTIRTHA BANERJEE [J.O. Code WB-00980]

Additional District & Sessions Judge, Basirhat

North 24 Prgns

Order no. 9 dated 05/06/2025

Accused Abu Chhiddik Molla is present by filing hazira.

Accused Abusadek @ Abusadak Molla is produced through V.C.

One bail application of the accused namely, Abusadek @ Abusadak Molla person is filed.

Ld. Special P.P. is present.

At the very outset, Learned Advocate for the accused submits before this Court that no such application u/s 482/483 BNSS is either pending and/or disposed of in the negative by any higher forum.

Ld. Advocate for accused person draws my attention to the statement of the V.G. under section 183 BNS and 180 BNS and prays for bail submitting that accused is in custody since long and charge-sheet has already been submitted and further custodial detention of accused was not warranted.

Ld. Public Prosecutor in charge raises objection citing the age of the V.G. and medico legal report.

Perusal of the record reveals that de-facto complainant/victim have not been served with notice of bail petition and are unrepresented in the record.

It is the mandate of POCSO Act and BNSS that opportunity of hearing to de-facto complainant/V.G. should be granted at the time of consideration of bail.

This being the case, bail petition is rejected at this stage considering the gravity of alleged offences.

Accused be remanded to judicial custody till 20/06/2025.

Fix 20/6/2025 for production and supply of copies.

I.O. directed to inform the de-facto complainant/V.G. to remain present on date fixed.

Let a copy of this order be sent to I.O. concerned for his information and necessary action at once.

Return C.D.

Call for case diary on date fixed.

Dictated & corrected by me

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

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