

Spl.(POCSO) Case no. 42 of 2024

Order no. 7 dated 02.07.2024

Accused Sumilan Singh @ Milan Singh is produced from J.C and remanded to J.C till next date.

An application has been filed on behalf of the accused Sumilan Singh @ Milan Singh praying for bail on the grounds stated therein.

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

Ld Advocate for the present accused person submits that the accusation is false and he has falsely been implicated and is in J.C since 12.06.2024 and two accused persons are still absconding . He further submits that he is desirous to marry the victim and will never abscond , if be released on bail and thereby face trial and therefore the accused may be released on bail. One declaration has also been filed on behalf of the accused.

Ld. Spl. P.P submits that DNA report is received and it has not been matched with the sample of the accused. So, he may be granted bail.

Ld. lawyer for the de facto complainant is present and submits that he will have no objection to the bail petition, if the accused marries the victim girl .

Perused the materials on record.

This is a case u/s 363/365/34 IPC adding sec. 376 IPC and sec. 6 POCSO Act. Considering the submission of both sides, materials in C.D , I am of the view that the accused may be released on interim bail on filing bail bond of Rs. 5000/- with two sureties of Rs. 2,500/- each, subject to the satisfaction of Ld. ACJM, Basirhat with condition to meet the I.O once in a fortnight till the submission of Charge sheet and with further condition to submit declaration in regard to his marital status before the B.C I of this court within seven days, from this date of order.

If on bail to (02.08.2024) for appearance .

dictated & corrected by me

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

Judge,Spl. Court (POCSO Act)
Basirhat, North 24 Parganas
02.07.2024

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I am not inclined to grant bail to the accused at this stage .

Hence, the prayer for bail is considered and rejected.

The case is taken up for framing of charge.

Heard both sides. Perused C.D and other materials on record.

Prima facie it appears that the accused has committed offence u/s 376(3)/506 IPC and u/s 6 of POCSO Act.

Hence, charge under the above sections are framed against the accused person.

The contents of charge is read over and explained to the accused to which he pleads not guilty and claimed to be tried.

Fix .2022 for evidence of C.S.W -1(De facto complainant)

Issue summons accordingly .

D/C by me

Judge, Spl Court (POCSO Act)

Judge, Spl Court (POCSO Act)
Basirhat, North 24 -Parganas
23.12.2021

