

POCSO(Spl) 82/2023

05/08.12.2023

Accused person namely Akash Sarkar is produced from P.C and remanded to J.C till next date.

An application has been filed on behalf of the accused Akash Sarkar praying for bail on the grounds stated therein.

At the very outset, Learned Advocate for the accused 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 submits that the accused has been falsely implicated in this case and he is innocent. He submits that he is in J.C since 19.11.23 and he is poor .He further submits that medical is not supporting the prosecution case. He stated that he will never abscond , if be released on bail and thereby face trial and therefore the accused may be released on bail on any terms and conditions .

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

Perused the materials on record and C.D .

It is a case u/s 376AB/506 IPC & sec. 4/6 of POCSO Act. Considering the nature and gravity of the alleged offence and early stage of investigation , I am not inclined to release the accused on bail . Hence, the prayer for bail of the accused is considered and rejected.

Return C.D .

To 22.12.2023 for production , C.D & I.O's report .

dictated & corrected by me

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

Judge,Spl. Court (POCSO Act)
Basirhat, North 24 Parganas
J.O Code : WB 00894

Heard ld. advocate for accused as well as ld. Spl. P.P.
Perused C.D & materials on record.

The accused Israfil Laskar has been produced before the court on 27.6.2019 on the basis of Production Warrant and there is sufficient materials in C.D against this accused. Investigation of this case is still on progress and enlargement of the accused on bail at this stage may hamper the investigation of the case.

Considering the same and the nature and gravity of the offence prayer for bail of the accused is considered and rejected.

dictated & corrected by me

Judge,Spl. Court (POCSO Act) Judge,Spl. Court (POCSO Act)

