

09/05.01.2024

Accused person namely Akash Sarkar is produced from J.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 due to political rivalry he has been implicated in this case . He stated that investigation of this case has been completed by submission of C.S against the accused. He submits that he will never abscond , if be released on bail and shall face trial and therefore the accused may be released on bail on any terms and conditions on the ground of detention .

Ld. Spl. P.P raises objection to the prayer for bail referring sufficient materials in C.D .

Perused the materials on record and C.D .

In this case investigation has already been completed by submission of C.S against this accused u/s 376AB/506 IPC & sec. 4/6 of POCSO Act. Considering the the materials in C.D , the statement of the V.G recorded u/s 164 Cr.P.C and medical report of the V.G , I am of the view that the accused may be released on filing bail bond of Rs. 10,000/- with two sureties of Rs. 5,000/- each, out of whom one should be cash surety, subject to the satisfaction of Ld. ACJM, Basirhat .

If on bail to 16.12.2024 for appearance .

dictated & corrected by me

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

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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)

