

SPL 141/2025

Present: SUTIRTHA BANERJEE [J.O. Code WB-00980]
Additional District & Sessions Judge , Basirhat
North 24 Pdns

Order no. 5 dated 25/9/2025

Accused Tapas Sarder produced from judicial custody through audio video linkage.

Bail application filed for accused person.

Ld. Special P.P. files hazira and is present.

De-facto complainant enters hazira and tenders objection through Ld. Special Public Prosecutor.

Chairman, SDLSC requested to appoint Ld. advocate from panel of SDLSC to represent the de-facto complainant.

At the very outset, Learned Advocates for the accused person 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 prays for bail on ground of false implication and submits that case is actually false which is evident from the belated nature of complaint. It is submitted that there was love affair between the parties and produces a photograph submitting that de-facto complainant herself gave V.G. in marriage to accused for which she should be guilty also.

Ld. Special Public Prosecutor raises objection citing nature and gravity of alleged offences, materials in case diary and tender age of the V.G.

Heard both sides. Considered.

Perused the record and case diary including statement of the V.G. and report of Medico legal examination which are grossly incriminating.

V.G. prima facie minor so her consent, if any, pales into insignificance. As for the de-facto complainant's alleged involvement in giving marriage, she will be liable as per law if such allegation is true.

IN view nature and gravity of alleged offences, materials in case diary and very nascent stage of investigation it will not be proper to release the accused person on bail at this stage.

Bail prayer of accused stands rejected.

Accused be remanded to judicial custody till 29/10/2025.

To 29/10/2025 for production.

Return C.D. Call for case diary again on date fixed.

Dictated & corrected by me

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

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