

Special Case No.16/21
CNR – WBSP01-001339-2021

Present : Umesh Singh (JO Code -WB00783)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

Order No.09
Dt.30.03.2021

Accused Batikram Sarkar is produced from J.C through V.C.S.

A bail petition has been filed on behalf of the accused.

Heard both sides.

Learned advocate moves bail application on behalf of accused and submits that this accused is totally innocent and has been implicated in this case falsely. No bail application is pending or rejected before any higher forum on any occasion. Charge sheet has been submitted. He is the permanent resident within jurisdiction of this Court and there is no chance of his abscondance. He submits that allegation against the accused 305 of I.P.C and section 6 of POCSO Act, 2012 is not substantiated. Accused may be enlarged on bail imposing any terms and conditions.

Learned Special P.P raises objection.

Perused the materials on record.

Charge sheet has been submitted. Investigation is over. Considering the statement of witnesses recorded u/s 164 Cr.P.C and other materials in case record, nature of allegation, age of accused (19 years) and victim girl (17 years) I find that custodial detention of this accused is not necessary. Accordingly, bail prayer of accused Batikram Sarkar stands allowed.

Accused Batikram Sarkar may find bail of Rs. 10,000/-(rupees ten thousand only) with two sureties of Rs.5,000/- (rupees five thousand only) each subject to satisfaction of ld. C.J.M Alipore with condition that he shall attend the Court regularly i.d to J.C till 13.04.2021.

If on bail to 13.04.2021 for appearance and supply of copy.

D/c by me.
Sd/-Umesh Singh
Judge, Special Court &
2nd A.S.J., Alipore.

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