

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore

Special Case No. 75/2026

CNR WBSP01-002753-2026

Ref.: Haridevpur PS Case no: 60 Dated : 21.02.2026

U/s 64(1)/3(5) BNS & r/w Sec. 6 of POCSO Act and Sec.9/11 of

Prohibition of Child Marriage Act.

Present : Mahua Roy Basu (JO Code - WB01001)

Judge, Special Court & 2nd A.S.J.,

Alipore, South 24-Parganas. (In-charge)

Order No.04

Dt. 05.03.2026

The accused Sabir Md @ Sabir Ali (18 years) is produced before this Court from P/C along with relevant documents including medical papers.

Accused is taken into custody and remanded to J/C.

Today is fixed for hearing of the bail application. Ld. Advocate for the accused moved the bail application filed on behalf of the accused in presence of all sides.

Ld. Advocate for the accused person has submitted that the accused is innocent and has been falsely implicated in this case. Ld. Advocate has further submitted that his client is in no way connected with the alleged offence and the accused is in custody for a considerable period. Ld. Advocate also submits that there is love relationship between the present accused and the victim girl aged about 16 years. Thus, he has prayed for bail of the accused person in any condition.

Ld. Special P.P. raised objection against the prayer for bail.

Defacto complainant is personally present in Court. Defacto complainant / VG has raised no objection against the prayer for bail.

Heard the Ld. Advocate for the accused, the Ld. Special PP and the defacto complainant / VG. Perused the CD, statement of the VG recorded u/Sec.183 BNSS and other materials in the case record.

From the statement of the VG recorded u/Sec.183 BNSS it appears that there was consenting and consensual relationship between her and the accused. The victim girl is aged about 16 years and the accused is seen to be aged about 18 years. So this is a clear case of close-in-age consensual relationship. Furthermore, I do not find any such materials from the statement of the victim which can stringently attract the provision of Section 6 of the POCSO Act. Hence considering the above circumstances and background of the case, period of detention already suffered by the accused and submission of the victim girl, I am inclined to allow the prayer for bail of the accused.

Accused Sabir Md @ Sabir Ali may find *bail* on furnishing bail bond of Rs.5,000/- with two sureties of Rs.2,500/- each subject to the satisfaction of Ld. CJM, Alipore.

If on bail, fix 24.08.2026 for appearance and IO's report.

Return CD.

D/c by me.

Sd/-

Judge, Special Court &
2nd A.S.J., Alipore

Sd/-

Judge, Special Court
& 2nd A.S.J., Alipore.