

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special Case No. 70/2023
CNR: WBSP01-003672-2023

Present: Sudipta Bhattacharjee, Judge(JO code: WB00794),
Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

Order No. 09
Dt. 02.09.2024

The case record is put up on the prayer of the accused Mostakin Dhali who surrendered before the Court by filing a petition along with vakalatnama and prayed for bail.

He is taken into custody.

Heard both sides.

Learned advocate for the accused submitted that this accused is completely innocent and he has been falsely implicated in this case. He came to know about this case when the police personnel went to his house in search of him as warrant of arrest was issued against the accused in connection with this case. Charge sheet has been submitted in this case. Today he voluntarily surrendered before this court. Thus the learned advocate for the accused prayed for granting him bail imposing any terms and conditions.

Learned Special P.P-in-charge raised objection by stating, *inter alia*, that the V.G is only aged about five years and the nature of offence is grave.

Perused the materials on record especially FIR and the statement of the victim girl recorded under section 164 Cr.P.C.

It is evident from the materials available in the case record that allegation against this accused person is very serious in nature. *Prima facie* case has been established against this accused person as per the charge sheet filed by the I.O. The final report of the I.O also reveals incriminating materials against the accused person. The victim girl is aged about five years only. This accused remained absconding till date and accordingly, warrant of arrest was issued against him on 29.05.2023. On subsequent occasion, proclamation was also issued against this accused on 07.12.2023. Considering the above facts and circumstances and materials available in the case record, I am not inclined to enlarge this accused person on bail at this stage.

Accordingly the accused be remanded to J.C till 12.09.2024.

The I.O of this case is directed to supply the copy of charge sheet and relevant documents to the accused in judicial custody in the mean time.

The Superintendent, Baruipur Central Correctional Home is directed to facilitate and co-operate with the I.O for supply of copy of charge sheet and relevant documents to accused Mostakin Dhali in accordance with law.

To **12.09.2024** for production of accused and supply of copy.

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

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