

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

Special Case No. 84/2022

CNR – WBSP01-004941-2022

Ref.: West Port PS Case no:75/2022 Dated : 08.04.2022

U/s 04 of the Protection of Children from Sexual Offence Act, 2012.

Present :Manas Ranjan Sanyal (JO Code - WB00666)

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

Alipore, South 24-Parganas.

State Vs. Md. Shamim Khan @ Sonu & Ors

Order No.06

Dt.09.06.2022

Accused Md. Shamim Khan @ Sonu is produced from J.C.

A bail petition has been filed on behalf of the accused along with fresh vokalatnama.

Heard both sides.

Learned advocate moves bail application on behalf of accused and submits that accused is in custody since 08.04.2022. Charge sheet has already been submitted. So detention of the accused is not required for purpose of investigation. So accused may be granted bail imposing any terms and conditions.

Learned Special P.P raises objection.

Perused the materials on record and case diary specially the statement of VG recorded u/s 164 of Cr.P.C as well as medical report.

It is a fact that there is no such notable injury found in the medical report but allegation raised by the victim girl in her statement u/s 164 of Cr.P.C is serious in nature. The age of victim girl is only 09 years old. Mere touching her private parts may constitute offence u/s 6 of POCSO Act, 2012. In that case medical examination report would not reveal anything. So considering the materials in CD and nature in allegation I am of opinion that before examining the victim girl, bail prayer of this accused should not be allowed. Accordingly, bail prayer of accused Md. Shamim @ Sonu stands rejected.

To 17.06.2022 for production of accused and consideration of charge.

D/c by me.

Sd/-Manas Ranjan Sanyal
Judge, Special Court &
2nd A.S.J., Alipore.

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