

Special Case No.98/2023
CNR – WBSP01-003817-2023

Ref.:Haridevpur PS Case no.149/2023 Dated : 12.04.2023
U/s 377/323/328 I.P.C and section 6/5(M) of the Protection of Children from Sexual
Offence Act, 2012.

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

Order No.12
Dt.11.07.2023

Accused **Dipankar Baidya (39 years)** is produced from J.C through VCS.

Today is fixed for hearing of bail petition of this accused.

Heard both sides.

Learned advocates for accused submitted that this accused is in custody for 90 days. He is innocent and has been falsely implicated in this case. He pointed out that there is no injury in the anus of victim boy or any part of his body. He pointed out that accusation against the accused is false. No bail prayer is pending or rejected before any higher forum. Thus, he prayed for bail of this accused.

Learned Special P.P-in-Charge raised strong objection and submitted that the victim boy is 12 years old. There are materials against the accused and it has been corroborated by the statement of victim boy. Thus she opposed the prayer for bail.

Perused the materials on record especially statement of VB recorded u/s 164 of Cr.P.C.

Apparently, there is prima facie case against the accused as the police after completion of investigation submitted charge sheet against him u/s 377/323 of I.P.C and section 6 of POCSO Act, 2012 Considering the allegation raised by VB in his statement u/s 164 of Cr.PC and considering the materials on record I am not inclined to grant bail to this accused.

To **25.07.2023** for production of accused and consideration of charge.

D/c by me.

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

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