

IN THE 2nd COURT OF THE ADDITIONAL SESSIONS JUDGE, ALIPORE

Special ST -07(07)2023

Special Case No.98/2023

CNR -WBSP01-003817-2023

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

02  
16.08.2023

Accused **Dipankar Baidya** is produced from J.C through V.C.S.

Today is fixed for evidence of the victim boy.

No witness is present on repeated calls.

At this stage a bail petition has been filed on behalf of the accused.

Heard both sides.

Learned advocate for accused submitted that there is hardly any ingredient of offence u/s 377 of I.P.C and accused is totally innocent and has been implicated in this case falsely. No witness has been turned up today. Accused is in custody for a considerable period. He further submitted that no bail prayer is either pending or rejected before any higher forum. Thus he prayed for bail of this accused.

Learned Special P.P raised objection.

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

It appears that allegation against the accused is serious. Victim boy and accused are residing in the same locality. Trial is going on. Victim boy has not yet been examined. So at this stage without examining the victim boy I am not inclined to grant bail to this accused. Accordingly, bail petition of this accused is rejected.

Fix **13.09.2023** for production of accused and evidence of VB.

The I.O is directed to bring the victim boy on the date fixed positively. He is also directed to inform the defacto complainant on the date fixed positively.

D/C by me  
Sd/- Sudipta Bhattacharjee  
A.S.J 2<sup>nd</sup> Court, Alipore  
South 24 Pgs

Sd/- Sudipta Bhattacharjee  
Addl. Session Judge  
2<sup>nd</sup> Court Alipore  
South 24 Pgs