

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

Special Case No.109/2021

CNR – WBSP01- 006777-2021

Ref.:Maheshtala PS Case no:335/21 Dated : 24.06.2021

U/s 12 of the Protection of Children from Sexual Offence Act, 2012.

Present : Umesh Singh (JO Code - WB00783)

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

Alipore, South 24-Parganas.

StateVs. Kutubuddin Kazi

Order No.01

Dt.24.06.2021

Received the written FIR, formal FIR, Inspection Memo, Memo of arrest, Medical Examination Report of accused, forwarding report and other documents.

Register the same as Special Case No.109 of 2021 u/s 12 of the Protection of Children from Sexual Offence Act, 2012.

Accused Kutubuddin Kazi (38 years) is brought under arrest. He is taken into custody.

A bail petition has been 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 innocent and has been implicated in this case falsely. No notice u/s 41 Cr.P.C has been served on the accused and the direction of the Hon'ble Supreme Court in Arnesh Kumar's case has been complied with. No bail prayer is pending or rejected before any higher forum. Accused may be enlarged on bail imposing any terms and conditions.

Learned Special P.P raises objection.

Perused the materials on record.

The direction of the Hon'ble Supreme Court in Arnesh Kumar's case has not been complied with by the I.O. No notice has been served on the accused u/s 41 Cr.P.C. Considering the materials in CD and nature of allegation, bail prayer of accused Kutubuddin Kazi stands allowed.

Accused Kutubuddin Kazi may find bail of Rs.5,000/- (rupees five thousand only) with two sureties of Rs.2,500/- (rupees two thousand five hundred only) each subject to satisfaction of ld. C.J.M Alipore with condition that he shall cooperate with I.O during investigation, i.d to J.C till 08.07.2021.

If, on bail, to 08.07.2021 for appearance and I.O's report.

D/c by me.

Sd/-Umesh Singh
Judge, Special Court &
2nd A.S.J., Alipore.

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