

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special Case No.144/20

Ref.:Basanti PS Case no: 877/19 Dated : 20.12.2019
U/s 376(2)(n) of I.P.C read with section 6 of the Protection of Children from Sexual
Offence Act, 2012 and section 5/6/7 I.T (P) Act.

Present : Ashutosh Sarkar, Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

StateVs. Abed Ali Molla

Order No.10
Dt.17.11.2020

Record is put up on prayer of learned advocate for accused, Abed Ali Molla. Learned advocate for accused moves bail prayer on behalf of accused, Abed Ali Molla and submits that this accused is in custody for more than 90 days and charge sheet has not yet been submitted in this case. He is entitled to be released on bail.

Learned Special P.P raises objection and submits that investigation has not yet been completed. She has strong objection against the prayer of the accused.

It appears from the case record that this case was registered u/s 6 of POCSO Act, 2012, section 5/6/7 of I.T (P) Act and sec- 376(2)(n) IPC. It further reveals from the case record that he was arrested on 16.08.2020 and produced before Court on 17.08.2020. Statutory period for completion of investigation is 90 days in this case which has already expired. It appears from the Office report that charge sheet has not yet been received by this Court. Therefore, accused is entitled to be released on bail.

He may find bail bond of Rs. 2000/-(rupees two thousand only) with two registered sureties of Rs.1000/-(rupees one thousand only) each to satisfaction of learned C.J.M Alipore.

If he is on bail, he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court and tampering of any evidence.

To date (19.11.2020) for appearance/ production.

D/c by me.

Sd/-
Ashutosh Sarkar
Judge, Special Court &
2nd A.S.J., Alipore.

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