

Special Case No. 159/2023

CNR – WBSP01-008086-2023

Ref.: Lake PS Case no: 143/2023 Dated : 06.06.2023

U/s 04/06 of the Protection of Children from Sexual Offence Act

Present : P.K Gangopadhyay (JO Code - WB00900)

Judge-in-Charge, Special Court & 2nd A.S.J,

Alipore, South 24-Parganas.

State Vs. Jhantu Halder

Order No.04

Dt.10.07.2023

Accused **Jhantu Halder** (46 years) is produced from J.C through VCS.

A bail petition has been filed on behalf of the accused.

Heard both sides.

Learned advocate for accused submits that the accused is infact a patient of tuberculosis and even before the arrest he vomitted blood, but the Superintendent, Baruipur Central Correctional Home has annexed a medical report, which is the opposite to what the patient has been suffering from and he has been branded as a patient of COPD and sputum test did not reveal T.B. He further submitted that in such a situation proper medical treatment cannot be given to the accused and he prayed for bail by imposing any condition.

Learned Special P.P raises objection.

Perused the materials on record especially statement of victim girl and the eye witness recorded u/s 164 of Cr.P.C and.

I find that the age of victim girl is only 5 years and there is very serious allegation against the accused in the satement of he victim girl and eye witness. So, considering the nature and gravity of offence and considering the early stage of investigation I am not inclined to grant bail to this accused. However, **the Superintendent of Baruiplur Central Correctional Home** is again directed to make necessary arrangement for the proper treatment of the accused and to submit report on the next date.

Accordingly, bail petition of this accused is rejected.

To **24.07.2023** for production of the accused and I.O's report.

I.O is directed to inform the defacto complainant on the date fixed positively and defacto complainant must be present.

D/c by me.

Sd/- P.K Gangopadhyay
Judge-in-Charge, Special Court
2nd A.S.J., Alipore.

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