

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 :Sudipta Bhattacharjee (JO Code - WB00794)

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

Alipore, South 24-Parganas

State Vs. Jhantu Halder

Order No.08

Dt.04.09.2023

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 submitted that charge sheet has been submitted. Three persons made different statement recorded u/s 164 of Cr.P.C. There is no penetration. No injury was found. Moreso, he by submitting the copy of the medical report has submitted that accused person is suffering from different ailment and his regular check-up is required from the private hospital which cannot be possible in the Correctional Home. Thus he prayed for bail.

Defacto complainant and learned advocate for the defacto complainant are present who raised strong objection against the bail prayer of the accused as Defacto complainant has been threatened by the accused party.

Learned Special P.P raises objection by submitting that till now the victim girl was traumatized and her age is 05 years. Thus he opposed against the bail prayer of the accused.

Perused the materials on record.

It appears from the case record that charge sheet has already been submitted. The case is fixed for charge. Learned Special P.P has not produced the CD. The victim girl is 05 years old. The point raised by the Defence will be considered at the time of consideration of the evidence not at this stage. Considering the gravity of offence I am not inclined to grant bail to this accused. Accordingly, bail prayer of accused is rejected.

Fix 28.09.2023 for production of the accused and consideration of charge.

The Superintendent, Baruipur Central Correctional Home is directed to provide necessary medical treatment as required to the patient/accused and submit report to this Court regarding the health condition of this accused.

Let a copy of this order be sent to Superintendent of Baruipur Central Correctional for information and taking necessary action.

D/c by me.

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

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