

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

Special Case No. 334/2025

CNR: WBSP01-009263-2025

Ref.: Chetla PS Case no: 47 Dated : 22.06.2025

U/s 137(2) BNS & under sec 08 of the Protection of Children from Sexual Offence Act, 2012 and Sec. 9 & 10 of Prohibition of Child Marriage Act

Present : Rimpa Roy (JO Code - WB00822)

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

Alipore, South 24-Parganas.

Order No.08

Dt. 23.07.2025

The accused Biswajit Gayen (24 years) is produced before this Court from J/C through VCS.

Today is fixed for hearing of bail petition filed on behalf of the accused.

Ld. Advocate for the accused person has submitted that the accused has falsely been implicated in this case and he is innocent. Ld. Advocate has further submitted that there was romantic relationship between the accused and the victim girl and his client is in custody for a considerable period. Thus, he prayed for bail of the accused in any condition.

Ld. Special PP-in-Charge raised objection against the prayer for bail.

Defacto complainant has entered appearance by filing new Vakalatnama. Defacto complainant is personally present and raised no objection against the prayer for bail admitting love relationship between the victim and the accused.

Heard the Ld. Advocate for the accused, Ld. Special PP and the defefacto complainant.

Perused the CD and materials on record.

From the statement of the VG recorded u/Sec.183 BNSS it appears that the VG did not utter a single word against the accused to attract POCSO Act against him. There is nothing in the injury report to attract offence u/Sec.6 of POCSO Act against the present accused. Having considered the above facts and circumstances, submission of the Ld. Advocate for the accused as well as the defacto complainant and the period of detention suffered by the accused, I am inclined to allow the prayer for bail.

Accused Biswajit Gayen may find *interim bail* on furnishing bail bond of Rs.10,000/- with two sureties of Rs.5000/- each subject to the satisfaction of Ld. CJM Alipore and on condition that the accused shall meet with the IO once in a week till further order i.d. to J/C.

If on bail, fix **24.02.2026** for appearance and IO's report.

Return CD.

D/c by me.

Sd/-

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

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