

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

Alipore

Special Case No.226/20

CNR - WBSP01-011578-2020

Ref.: Haridevpur PS Case no: 600/20 Dated : 04.12.2020

U/s 120B/366A/370/372/373 of I.P.C read with section 4/17/21 of POCSO Act, 2012 and section 3/4/5/6/7/18 of I.T (P) Act.

Present : Umesh Singh, Judge, Special Court &
2ndA.S.J(WB00783),

Alipore, South 24-Parganas.

StateVs. Gopal Shaw @ Gopal Chandra Shaw & Ors

Order No.14

Dt.18.05.2021

Accused Gopal Shaw @ Gopal Chandra Shaw is produced from J.C through V.C.S.

Accused Chaitali Shaw is not produced from Alipore Women Correctional Home.

Accused Sahid Mondal and Sonali Mal on bail are absent without steps.

Separate bail petitions have been filed on behalf of accused Gopal Shaw @ Gopal Chandra Shaw and Chaitali Shaw.

Heard both sides.

Learned advocates for accused Gopal Shaw @ Gopal Chandra Shaw and Chaitali Shaw move their bail petitions and submit that these accused persons are completely innocent and have been implicated in this case falsely.

Charge sheet has been submitted. Other co-accused persons are on bail. They are the permanent resident within the jurisdiction of this Court and there is no chance of their absconion. They are ready to face the trial.

Learned advocate for accused persons also submit that the allegation raised by the prosecution do not substantiate the application of provisions of POCSO Act, 2012 to this case as no sexual assault was caused to any of the victims on the alleged date of raid. The allegation of human trafficking is also baseless. No bail prayer of these accused person is rejected or pending before any higher forum. Hence they pray for bail of these accused persons imposing any terms and conditions.

Learned Special P.P raises objection.

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Heard both sides. Perused the materials on record.

Charge sheet has been submitted and investigation is over. Court is functioning in restricted manner due to COVID-19 pandemic situation. These accused persons are already in custody since 05.12.2020. Considering the nature of allegation and period of detention as well as the COVID pandemic situation, the bail prayers of accused Gopal Shaw @ Gopal Chandra Shaw and Chaitali Shaw stand allowed.

Accordingly, accused Gopal Shaw @ Gopal Chandra Shaw and Chaitali Shaw may find bail of Rs. 10,000/- (rupees ten thousand only) each with two sureties of Rs.5000/- (rupees five thousand only) each subject to satisfaction of learned C.J.M Alipore with condition that they shall attend the Court regularly in default to J.C till 28.07.2021.

Copies of C/S and documents have already been supplied to the accused persons.

If on bail, to 28.07.2021 for appearance of accused persons and consideration of charge.

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

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