

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

Special Case No.220/2022

CNR – WBSP01-012440-2022

Ref.: Sundarban Coastal PS Case no: 110/2022 Dated : 12.08.2022

U/s 5(i)/5(ii)/6 of the Protection of Children from Sexual Offence Act, 2012.

Present :Manas Ranjan Sanyal (JO Code - WB00666)

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

Alipore, South 24-Parganas.

State Vs. Mano Ranjan

Order No.06

Dt.12.09.2022

Accused Manoranjan Howly is produced from J.C through VCS.

A bail petition has been filed on behalf of the accused along with fresh vokalatnama.

Heard both sides.

Learned advocate moves bail application on behalf of accused and submits that accused married the victim girl and out of their wedlock one child was born and the victim and child is now at Children Home. Accused is in custody since 29.08.2022. So accused may be granted bail imposing any terms and conditions.

Learned Special P.P raises objection.

Perused the materials on record especially the statement of victim girl recorded u/s 164 of Cr.P.C as well as the statement given by the victim before Nager Koyel Police Station.

In all those statements I find that victim admitted that she married the accused and in statement recorded u/s 164 of Cr.P.C the victim girl clearly stated that she wants to go to her husband. It is true that the victim girl is minor but it is evident that she married the accused person and at best section 9 of Child Marriage Act may be attracted against him. The victim girl nowhere in her statement u/s 164 of Cr.P.C raised any allegation of penetrative sexual assault against this accused and in her statement before Tamilnadu Police also she stated that after marriage the accused established physical relation. So, considering the above facts and circumstances I am not inclined to detain this accused any further.

Accordingly, accused person namely Manoranjan Howly shall be released on bail of Rs. 5,000/-(rupees five thousand only) with two surety of Rs.2500/- (rupees two thousand five hundred only) each subject to satisfaction of learned C.J.M Alipore with condition that the accused person shall meet the I.O once in a week till further order i.d to J.C.

If on bail to 06.12.2022 for appearance of accused person and I.O's report.

CD be returned.

D/c by me.

Sd/-Manas Ranjan Sanyal
Judge, Special Court &
2nd A.S.J., Alipore.

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