

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

Special Case No.223/2022

CNR – WBSP01-012517-2022

Ref.:Nadial PS Case no: 155/22 Dated : 18.08.2022

U/s 376(2)(1) of I.P.C and Sec 4 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. Arman Ali

Order No.06

Dt.27.09.2022

Accused Arman Ali is produced from J.C through VCS.

Received Nadial PS Charge Sheet No. 118 of 2022 dated 17.08.2022 for offences punishable under section 376(2)(1) of I.P.C and section 4 of Protection of Children from Sexual Offences Act, 2012 filed against accused Arman Ali along with copy of document.

Seen and perused the materials in the case record and the materials in the final report U/s 173 of Cr.P.C.

Cognizance is taken.

I.O is directed to supply of copy of charge sheet to the accused person in Jail.

The Superintendent of concerned Correctional Home is directed to permit the I.O to supply the copy of charge sheet and other relevant documents to accused person in jail.

Inform all concerned.

At this stage a bail petition has been filed on behalf of the accused.

Heard both sides on bail prayer of the accused person.

Learned advocate appearing on behalf of accused submitted that the victim girl had love affair with the accused person and age of the victim girl is 14 years. Medico-legal examination has been refused by the victim girl. Charge sheet has already been submitted. So, he may be granted bail on any condition.

Learned Special P.P-in-charge raised objection.

Perused the materials on record and case diary especially the statement of VG recorded u/s 164 of Cr.P.C and the medical examination report.

It appears from the statement of VG that I do not find any

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corroboration what he stated before the police at the time of lodging of F.I.R. At the time of lodging F.I.R victim stated about the love affair in between her and the accused person. Medico-legal examination has been refused twice by the victim girl. In primary medical examination report I do not find any sign of forceful sexual intercourse. However, the charge sheet has already been submitted. Accused is in custody since 19.05.2022. Considering the materials on record I do not find any necessity for further detention of this accused for the purpose of investigation. However one condition should be imposed upon him.

Accordingly, accused person namely Arman Ali shall be released on bail of Rs. 5000/- (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 not enter into jurisdiction of Nadial P.S till further order i.d to J.C.

If on bail to 16.01.2023 for appearance of accused person and consideration of charge.

D/c by me.

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

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