

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special Case No. 608/2025
CNR WBSP01-016007-2025

Ref.: Bishnupur PS Case no: 1010/2025 Dated : 12.11.2025
U/s 65(1) BNS read with Section 4 of POCSO Act.

Present : Mahua Roy Basu (JO Code - WB01001)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas. (In-charge)

Order No.18
Dt.02.03.2026

The accused Debasis Bhattacharya (50 years) is not produced before this Court from J/C through VCS due to technical fault.

Today is fixed for hearing of bail application. The same is taken up for hearing in presence of all sides.

Ld. Advocate for the accused person vehemently submits that the defacto complainant is in a habit of bringing criminal charges upon several other persons, thus incriminating them for some ulterior motive. It has also been submitted by the Ld. Advocate that the VG who is the daughter of the defacto complainant is used as a weapon of illegal gratification. In support of his submission he has filed a number of documents to show that the defacto complainant and the VG are allegedly carrying on a racket of extortion.

Defacto complainant is present through her Ld. Lawyer and has vehemently objected the bail prayer on several grounds.

Ld. Special PP has also drawn my attention towards the statement of the VG as well medical documents.

I have meticulously gone through the statement of the VG where I find that there are multiple instances of alleged offence upon her which are sufficient to attract the penal provision of Section 6 of POCSO Act. The contention of the accused regarding absence of injuries in medical examination is unpersuasive. It is a settled proposition that the absence of physical injuries does not ipso facto dislodge the prosecution case particularly in case of child victims. The victim is of 14 years and the accused is a man approximately 50 years of age. The wide disparity in age further aggravates the severity of the alleged act and raises serious concern regarding exploitation and abuse of trust. Hence, I am not inclined to release him on bail at this stage taking into consideration the social impact of the alleged offence. Accordingly, bail prayer of accused stands rejected at this stage.

Accused be remanded to J/C.

To **10.03.2026** for production of the accused from J/C and consideration of charge.

Return CD.

D/c by me.

Sd/-

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

Sd/-

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