

Special Case No.335/2023

CNR – WBSP01-016012-2023

Ref.Canning PS Case no: 703/2023 Dated : 25.10.2023

U/s 366/376(2)(n) of I.P.C and Sec 06/17 of the Protection of Children from Sexual
Offence Act

Present :Sudipta Bhattacharjee (JO Code - WB00794)

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

Alipore, South 24-Parganas.

State Vs. Rana Sardar & Ors

Order No.04

Dt.01.12.2023

Accused **Rana Sardar** is produced from J.C through VCS.

Accused **Shibu Sardar @ Sib** on C/B is present by filing hazira.

Today is fixed for hearing of bail petition of accused Rana Sardar.

Learned advocate for accused Rana Sardar submitted that this accused person is innocent and has been implicated in this case falsely. He is in custody since 28.10.2023. Other co-accused person is already on bail. The victim girl refused to undergo her medical examination. He further submitted that no bail prayer is pending or rejected before any higher forum. Thus, he prayed for bail of these accused.

Learned Special P.P raised objection.

Defacto complainant also raised objection.

I have gone through the record as well as the medical report as well as the statement of the victim recorded u/s 164 of Cr.P.C. It appears from the medical report that the victim refused to get her examined by the doctor. Statement of the victim girl before the doctor and her statement before the learned Magistrate are contradicted each other on the materials point. Considering the above facts and circumstances I am inclined to release accused Rana Sardar on interim bail.

Accordingly, accused person namely **Rana Sardar** may find interim bail of Rs.5,000/-(rupees five thousand only) with two surety of Rs.2500/-(rupees two thousand five hundred only) each till 04.04.2024 subject to satisfaction of learned C.J.M Alipore with condition that he shall meet the I.O once in a week until further order i.d to J.C.

If on bail to **04.04.2024** for appearance of accused and I.O's report.

At this stage accused **Buli Sardar @ Bula, Palan Sardar** and **Fuli Sardar** surrendered before the Court and filed a petition alongwith fresh vokalatnama praying for bail. They are taken into custody till 15.12.2023.

Learned advocate for the accused submitted that these accused persons are completely innocent and have been implicated in this

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case falsely. Other accused persons are on bail Today they voluntarily surrendered before the Court. Thus, he prayed for bail of these accused imposing any terms and conditions.

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

Defacto complainant also raised objection.

Perused the materials on record.

It appears that there is no incriminating materials against them. Other co-accused person including principal accused have already been granted bail by this Court. They surrendered voluntarily before this Court. Considering the above fact bail prayer of accused stands allowed.

Accordingly, accused persons namely **Buli Sardar @ Bula, Palan Sardar** and **Fuli Sardar** may find a bail of Rs.5,000/-(rupees five thousand only) each 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 they shall attend the Court regularly i.d to J.C.

If on bail to date i.e.04.04.2024 for appearance of accused person and I.O's report.

D/c by me.

Sd/- Sudipta Bhattacharjee
Judge, Special Court &
2nd A.S.J., Alipore.

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