

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

Special Case No. 256/2022

CNR – WBSP01-016027-2022

Ref.: Canning PS Case no: 502/2022 Dated : 04.10.2022

U/s 363/365 of I.P.C and Sec 06 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.

StateVs Rajib Sardar

Order No.01

Dt.28.10.2022

Received the case record alongwith F.I.R bearing Canning PS Case no: 502/2022 Dated : 04.10.2022 and other documents from learned Additional Chief Judicial Magistrate, Alipore.

Register the same as Special Case No.256/2022 u/s 363/365 of I.P.C and Sec 06 of the Protection of Children from Sexual Offence Act, 2012.

Accused Rajib Sardar is produced from J.C through VCS.

A bail petition has been filed on behalf of the accused.

Heard both sides.

Learned advocate moves bail application on behalf of accused and submits that accused person is innocent and he has been falsely implicated in this case. The allegation levelled against him is false, fabricated, concocted and baseless. The victim had love affair with the accused person. No bail prayer is pending or rejected before any higher forum. Accused person may be enlarged on bail imposing any terms and conditions.

Learned Special P.P raises objection.

Perused the materials on record and CD especially the statement of the victim girl recorded u/s 164 of Cr.P.C.

I find that the victim girl stated that she left her paternal house on her own as she had some dispute with her father and this accused was her boy friend. No allegation of sexual assault has been raised by the victim girl against the accused person. Accused is in custody since 08.10.2022. So, considering the materials in CD and considering that investigation has fairly progressed and also considering the age of the victim girl and the accused I am inclined to grant interim bail to this accused with condition that he shall not enter into jurisdiction of Canning P.S until further order. Accordingly, accused person namely Rajib Sardar shall be released on A/I bail of Rs. 5,000/-(rupees five thousand only) with two surety of Rs.2500/-(rupees two thousand five hundred only) each till 02.02.2023 subject to satisfaction of learned C.J.M Alipore with condition that he shall not enter into jurisdiction of Canning P.S. until further order, i.d to J.C.

If on bail to date i.e. 02.02.2023 for appearance of accused person and I.O's report.

D/c by me.

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

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