

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

Special Case No.258/2022

CNR – WBSP01-016033-2022

Ref.: Haridevpur PS Case no: 309/2022 Dated : 19.10.2022

U/s 120B/366/342/328/376DA of I.P.C and Sec 6/5(G) 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 Arup Sengupta @ Putu & Ors

Order No.11

Dt.21.12.2022

Six accused persons namely Arup Sengupta @ Putu, Abhisek Singh @ Nikhil Singh, Sanjay Patra @ Kalu @ Raj, Saheb Adhikary @ Madan, Rahul Singh and Amit Ram @ Kalu are produced from J.C through VCS.

Bail petition is filed on behalf of the accused Amit Ram @ Kalu.

Heard both sides.

Learned advocate moves bail application on behalf of accused and submits that charge sheet has already been submitted and against this accused there is no direct allegation is raised against this accused. He has been arrested out of complicity as the house where the alleged incident occurred belonged to this accused. As the investigation has been completed further detention of this accused is not required. So accused may be granted bail on any condition.

Learned Special P.P raises objection.

Learned advocate on behalf of defacto complainant also raises objection.

Perused the materials on record especially the statement of the VG recorded u/s 164 of Cr.P.C.

On going through the materials on record I find that this is a case of gang rape upon the minor girl and this accused is identified in TI parade. Though there is no such direct allegation against this accused regarding aggravated penetrative sexual assault but the accused was present when the incident occurred. So the section 6/17 POCSO Act attracted against this accused. Charge sheet has already been submitted and copy has already been supplied. So, at this stage without examination of the victim girl I am not inclined to grant bail to this accused. Accordingly, bail prayer of accused Amit Ram is rejected.

Bail petition filed on behalf of accused Abhisek Singh @ Nikhil Singh and Sanjay Patra @ Kalu @ Raj is kept with the case and will be heard on the next date.

Accused persons are remanded to J.C.

To 16.01.2023 for production of accused and I.O's report.

D/c by me.

Sd/-Manas Ranjan Sanyal
Judge, Special Court &

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

2nd A.S.J., Alipore.