

Special ST – 09 (03) 2023
Special Case No.333/2022
CNR – WBSP01-019276-2022

Present :Manas Ranjan Sanyal (JO Code - WB00666)
Judge, Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

Order No.03
Dt.24.03.2023

Today is fixed for hearing of bail petition of accused Ruhul Amin @ Ruhul.

Heard both sides.

Learned advocate for the accused Ruhul Amin @ Ruhul submitted that accused is completely innocent and has been implicated in this case falsely. He further submits that mother of the accused is seriously ill. Moreover, this accused is shown as customer in this case and there is no allegation of penetrative sexual assault against this accused. No bail petition is either pending or rejected before any higher forum. So, this accused may be granted bail on any condition.

Ld. Special P.P raised objection by saying that the evidence of the victim girl fixed on 11.04.2023, 12.04.2023 and 13.04.2023. So, without examining the victim girl accused should not be granted bail.

Learned advocate for defacto complainant is also present who raised objection by saying that if the accused is granted bail at this stage there is every possibility of tampering of evidences.

Perused the materials on record.

I find that this accused is shown as customer in this case and during T.I Parade though the accused is identified and the victim did not raise allegation of any penetrative sexual assault against this accused. It is true that the victim girls have not yet been examined but after perusing the medical report of the mother of the accused I find that his mother has been suffering from paralysis with hypertension and other ailment and one certificate has been issued in this regard by Dr. A. Rajjak of Cure Point Nursing Home and Diagnosis. Considering the serious health condition of the mother of the accused I am inclined to grant bail to this accused on the humanitarian ground on condition that he will not enter into jurisdiction of Barasat P.S till further order and will attend the Court regularly.

Accordingly, accused person namely **Ruhul Amin @ Ruhul** 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 that he will not enter into jurisdiction of Barasat P.S till further order and will attend the Court regularly i.d to J.C.

If on bail to date i.e. 11.04.2023 for appearance of accused Ruhul Amin @ Ruhul, production of custody accused and evidence of CSW-5.

D/c by me.

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

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