

In the 1<sup>st</sup> Court of Addl. Sessions Judge and Special Court under POCSO Act.

**Special Case 36 of 2022**  
**(CNR No. WBSP07-0022822022)**

**Present: Sri Bibhas Chatterjee (J.O. No.WB00702),  
Additional Sessions Judge, 2<sup>nd</sup> Court, Sealdah  
and 1<sup>st</sup> A.S.J. Court-in-charge & Special Court  
under POCSO Act, Sealdah**

**Order No.03 dtd 22.08.2022**

This day is fixed for production of the accused namely Sk. Sahid from PC and I.O's report.

One bail petition has been filed by the advocate on behalf of the accused namely, Sk. Sahid.

The accused is produced from P.C. as ordered. He is taken into custody and remanded to JC till 03.09.2022. The IO has yet to file his report.

The bail petition is taken up for hearing wherein the Ld. Advocate has prayed for releasing the accused on bail on the ground stated therein.

Perused the bail petition.

Heard Ld. Advocate for the accused and also heard Ld. Special PP.

Ld. Advocate for the accused person submits before this Court that the accused has been falsely implicated in this case and he is innocent. Ld. Advocate also submit that the statement of the victim girl U/s 164 Cr.P.C has been recorded and nothing has been revealed from her statement. Ld. Advocate finally submits that the accused is languishing custody from 15.8.2022 and the investigation has fairly proceeded and accordingly, prays for releasing the accused on bail by imposing any condition upon him.

Ld. P.P.-in-charge raises strong objection against the instant bail prayer and also submits that there are serious allegation which has been labelled against the accused person. He again submits that the investigation is in process and if the accused be released on bail at this stage, the prosecution case will be prejudiced and accordingly, he prays for rejection of the prayer for bail.

Considering rival submission of the both the parties and after perusal of the case diary and the entire materials on record, it reveals that this is a case

which was registered u/s 324/326/114 IPC added sections 363/376 (3) of IPC read with section 6 of POCSO Act

This is an embryonic stage of investigation

Considering the nature and gravity of the offence and prima facie materials available on record including the CD, the stage of investigation, I am of the view that the bail prayer of the accused deserves no merit to get success at this stage. Hence, the bail petition stands rejected. C.D. be returned.

To 03.09.2022 for production of the accused and IO's report.

D/c by me

1st A.S.J. Court-in-charge  
Sealdah

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Sealdah