

Spl. Pocso-01/2026
(J.O.Code-WB00920)

Order No. 10

Dated: 06.03.2026

Today is fixed for physical production of the accused persons from J.C, hearing of bail petition and I.O's report.

Accused Prosenjit Maity @ Biju and Ranjan Das are produced from J/C and they are represented by their Ld. Counsel.

Ld. Spl. P.P. in-charge namely Smt. Anupama Jana files hazira for the State along with hazira of D.C.

V.G. and D.C are present .

The case record is taken up for hearing bail petition filed for accused persons namely 1. Prosenjit Maity @ Biju and 2. Ranjan Das.

Heard both sides.

At the very outset, Ld. Defence Counsel submitted that no bail petition in respect of this accused in connection with this case is pending or rejected by any upper forum.

Ld. Defence Counsel prays for bail of two accused persons namely 1. Prosenjit Maity @ Biju and 2. Ranjan Das on the ground of prolonged detention and filing of charge-sheet against the accused persons U/s. 137(2)/140(3)/3(5) BNS.

Ld. Spl. P.P. raises strong objection.

There is no objection on behalf of the V.G./D.C against the bail prayer.

Having heard both sides and on perusal of the FIR, Charge-sheet, C.D and other materials as available on the case record, it appears that the accused persons have been in J.C. since 30.12.2025. On the other hand, though the case was started against the accused persons U/s. 140(3)/70(2)/351(3) BNS and 6(1) Pocso Act, but I.O. after completion of investigation has filed charge-sheet U/s. 137(2)/140(3)/3(5) BNS which is triable by the Court of Magistrate.

On careful perusal of the C.D. it appears that the victim has refused to cause medico legal examination on her person. She had not stated anything substantial regarding any physical relationship in between her and the accused persons. Though Ld. Spl. P.P. pointed out the statements of the accused persons and the statement of the V.G. recorded U/s. 180 BNSS, but there is no naraji petition or prayer for further investigation of the instant case on the part of the D.C./V.G.

Thus, in view of the above discussion and considering the facts and circumstances of the instant case and period of detention of the accused persons, I am inclined to enlarge the accused persons on bail with conditions.

Considered.

Prayer for bail is allowed.

The accused persons namely 1. Prosenjit Maity @ Biju and 2. Ranjan Das may be enlarged on bail of Rs.10,000/- each with two sureties of Rs.5000/- each subject to the satisfaction of the Ld. A.C.J.M, Kakdwip with condition that they will appear before this Court on each and every date of hearing and not threaten the victim and the charge-sheeted witnesses in any way i/d to J.C.

Return the CD.

If on bail, to 18.06.2026 for appearance.

Let a copy of this order be sent to the Ld. ACJM, Kakdwip for information and taking necessary action.

Dict. & Corr. by me

Additional Sessions Judge, 1st Court
& Special Court under POCSO Act,
Kakdwip, South 24 Parganas.
(in-charge)

Additional Sessions Judge, 1st Court
& Special Court under POCSO Act,
Kakdwip, South 24 Parganas.
(in-charge)