

Spl. Pocs0-08/2025
CNR No. WBSP150000732025
J.O. Code-WB00875

Later:

Order No. 21

Dated: 06.05.2025

The case record is now taken up for hearing of bail petition filed for accused Tapas Kumar Sardar on 22.04.2025.

At the very outset, Ld. Defence Counsel submits that no bail petition in respect of this accused in connection with this case is pending or rejected by any upper forum. It is submitted that the accused is in J/C since 19.01.2025. It is further submitted that there is no specific complaint lodged by the parents of V.G in this Case. One intimation was given by medical officer to P.S regarding treatment of minor girl in hospital, based on which the instant case was initiated. Ld. Defense Counsel further submits that V.G and this accused are involved in love affairs since long and there is no objection of the family regarding their relationship. Also VG is now staying at her matrimonial home with her two months old baby and the rest two female accused persons in this case are the mother of VG and the mother-in-law of VG. It is further added that charge has already been framed today and there are 22 charge sheeted witnesses in this case. Hence, is the prayer for bail of the accused considering better future of the victim, her child and the husband/accused Tapas Kumar Sardar.

Ld. Spl. P.P. in-charge opposes the bail petition and submits that V.G. is minor, aged 14 years and was found 28 weeks pregnant, during her treatment in the hospital. It is further submitted that the consent of minor V.G if any in any sexual activities is no consent at all. That apart this accused has also married this minor V.G which is also an offence in the eye of Law. Charge sheet has already been submitted against this accused. Recently VG has delivered a baby, who is 2 months old. The blood sample has been collected for DNA test. Hence, is the prayer for rejection of bail.

Perused the materials on record. I have gone through the available materials in hand including the materials in CD. I have perused the statements of V.G's recorded by Ld. Magistrate and have considered the nature of alleged offence. I have also gone through the injury report of VG. On being asked, VG who is present today submits that now she is at her matrimonial home with her baby.

Considering all aspects, it is found that accused is detained in JC since long i.e. since 19.01.2025. That apart VG and this accused now the parents of the baby who is 2 months old and the VG is staying at her matrimonial home.

As such keeping into mind the entire gamut, I am inclined to grant bail to accused person namely Tapas Kumar Sardar and he is entitled to get bail amounting to Rs. 12,000/- with two registered sureties of Rs. 6,000/- each, subject to satisfaction of Ld. ACJM, Kakdwip on condition that he shall attend before this Court on each and every dates of the further proceedings of this case and would not tamper with evidence in any manner, failing which this order shall stand cancelled without any further reference.

Return the CD.

To date i.e. 11.07.2025 for production/appearance of accused Tapas Kumar Sardar and evidence.

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.

Additional Sessions Judge, 1st Court
& Special Court under POCSO Act,
Kakdwip, South 24 Parganas.