

CIS-29/2025
Spl. ST-02(09)2025
Spl. Pocso-29/2025
(J.O.Code-WB00875)

Later:

Order No. 28

Dated: 04.09.2025

The case record is placed before me.

It is submitted by Ld. Spl. PP in charge namely Smt. Madhumita Debta that DC could not turn up due to her illness.

It appears that DC is well aware of the hearing of bail petition for accused Pintu Mondal.

Both sides are present.

CD is produced.

The case record is taken up for hearing of bail petitions filed for accused person namely Pintu Mondal.

At the very outset, Ld. Defence Counsel submits that no bail petition in respect of this accused person in connection with this case is pending or rejected by any upper forum. It is submitted that the accused Pintu Mondal is in J/C since 10.04.2025. The rest accused person namely Shampa Ghora has been granted bail by Hon'ble High Court, Calcutta. Charge has already been framed against the accused persons this day. Ld. Defence Counsel takes me to the view of Hon'ble High Court, Calcutta while granting bail to other accused Shampa Ghora. It is submitted that there is no specific date and time of occurrence of alleged incident mentioned in the FIR. There is no external injury found in the first medical report. The second medical report of VG shows no case reference. Ld. Counsels submit that VG is 14 years old. The instant case has been lodged falsely against the accused persons. Investigation is already over and charge sheet submitted. Hence, is the prayer for bail of the accused person.

Ld. Spl. P.P. in-charge opposes the bail petition and submits that V.G. is minor and the female accused has a baby in her lap and she was granted bail by Hon'ble High Court, Calcutta. The family of accused is still threatening the VG and her family, due to which VG is under trauma. This accused is the prime accused in this case and the female accused who has been granted bail has aided in the commission of crime. So, the female accused has abetted the crime. It is further submitted that the medical report of VG goes to show that she was 5 to 6 weeks pregnant and due to critical condition in pregnancy, termination of pregnancy took place. There are sufficient materials against this accused in CD and prosecution as such prays for custody trial.

Considering the materials on record as well as in CD, including the statements of VG and DC, it is found that there are sufficient materials against this accused person. Charge sheet has been submitted against the accused persons u/s 61(2)/50/64(2)(m)/351(3)/126(2) BNS and Section 6(1) of POCSO Act and Section 9 of PCM Act. VG has not yet been examined.

As such considering all aspects this Court at this stage is not inclined to release the accused person on bail.

Accordingly, bail petition filed for accused person namely Pintu Mondal is rejected.

Return the C.D.

To date i.e. 29.11.2025 for physical production, appearance and evidence.

Let an extract copy of this order be sent to the Controller, Diamond Harbour Sub-Correctional Home regarding physical production of accused person on date fixed.

Dict. & Corr. by me

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

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