

Spl. Pocso-29/2025
(J.O.Code-WB00875)

Order No. 20

Dated: 26.06.2025

Today is fixed for production of the accused persons Pintu Mondal and Shampa Ghora from J.C., hearing of bail petitions filed for accused Shampa Ghora and Pintu Mondal and service of copies.

Both the accused persons namely Pintu Mondal and Sampa Ghora are produced from JC through VC and they are represented separately by their Ld. Advocates.

Ld. Spl. PP in charge namely Smt. Haimabati Sinha Barma files hazira for the State along with hazira of DC.

CD is produced.

Both sides are present.

The case record is taken up for hearing of bail petitions filed for accused persons namely Pintu Mondal and Shampa Ghora.

At the very outset, Ld. Defence Counsels submit that no bail petition in respect of these accused persons 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 and accused Shampa Ghora is in JC since 21.04.2025. Ld. Counsels submit that VG is 14 years old. The complaint does not disclose the date when VG told the incident to her mother. The instant case has been lodged falsely against the accused persons. It transpires that on 28.03.2025 VG was married with Pintu Mondal, but accused Shampa Ghora was not present there. Ld. Counsels further adds that there is no whisper of first PO, during investigation. Investigation is already over and charge sheet submitted. The first medical report of VG shows that pregnancy test is negative and the second medical report of VG shows the same as positive. No third opinion has been sought for by IO to clarify the anomaly. Hence, is the prayer for bail of the accused persons.

Ld. Spl. P.P. in-charge opposes the bail petition and submits that V.G. is minor and the female accused is the neighbour of VG. The male accused is the prime accused and the female accused has aided in the commission of crime. So, the female accused has abetted the crime. The delay in lodging the FIR has also been duly explained in the FIR. 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 in pregnancy, termination of pregnancy took place. The two place of occurrences are clearly mentioned in the CD. There are sufficient materials against these 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 these accused persons. 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.

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

Accordingly, bail petitions filed for accused persons namely Pintu Mondal and Shampa Ghora are rejected.

Return the C.D.

Fix 28.07.2025 for physical production of accused persons namely Pintu Mondal and Shampa Ghora from JC, supply of copies and consideration of charge.

Let an extract copy of this order be sent to the Controller, Diamond Harbour Sub-Correctional Home regarding physical production of accused persons 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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