

CIS-48/2024
Spl. ST-04(05)2025
Special POCSO Case No. 48 of 2024
J.O. Code-WB00875

Order No. 25

Dated: 11-08-2025

Today is fixed for hearing of bail petition filed for accused Abed Ali Shah on the part of prosecution and reply if any.

Accused Abed Ali Shah is represented by his Ld. Advocate.

Ld. Spl. PP in charge namely Smt. Madhumita Debta files hazira for the State along with hazira of DC.

Separate hazira filed for DC by his Ld. Counsel.

The case record is kept pass over on prayer of Ld. Defence Counsel.

It is now 11:30 a.m.

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.

Later:

It is now 11:45 a.m.

Both sides are present.

The case record is taken up for hearing of bail petition filed for accused on the part of prosecution.

Heard Ld. Spl. PP in charge.

Heard Ld. Counsel for defacto complainant.

Heard reply of Ld. Defence Counsel.

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. It was submitted that the accused is in J/C since 12.11.2024. Charge sheet has already been submitted. By filing documents through firisti Ld. Defence Counsel has submitted that the birth certificate of VG has not been collected by IO and the Aadhaar card is not the document of age proof as per verdict of Hon'ble Apex Court. The accused has been falsely implicated and investigation is already over and hence, is the prayer for bail of the accused.

Ld. Spl. P.P. in-charge opposes the bail petition and submits that V.G. is 14½ years of age and this accused is FIR named. It is submitted that charge has already been framed in this case and date is fixed for evidence of VG. If the age of VG is challenged by defence, then it is the duty of defence to produce concerned documents. Materials in CD including the statement given by VG before Ld. Magistrate shows sufficient materials against this accused.

Considering the materials on record, it is found that though the investigation is already over, there are sufficient materials in CD as against this accused. The bail petition in respect of this accused was rejected by this Court after filing of charge sheet on 19.03.2025. Considering all aspects this Court at this stage is not inclined to release the accused on bail.

Accordingly, bail petition filed for accused Abed Ali Saha is rejected.

Return the C.D.

To date i.e. 23.09.2025 for production of accused from JC through VC and evidence of VG.

Dict. & Corr. by me

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

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