

**CIS-58/2024**  
**Spl. Pocso-58/2024**  
**J.O. Code-WB00875**

**Order No. 07**

**Dated: 03.01.2025**

Today is fixed for appearance of accused, hearing of petition dated 28.10.2024 filed by IO in presence of IO and consideration of CS filed on 16.12.2024.

Sole accused on Court bail namely Taraknath Pramanik is present by filing hazira.

Hazira for prosecution is filed by Ld. Spl. PP in charge namely Sri Swapan Maity.

IO is not present.

Heard both sides on the petition dated 28.10.2024.

Perused the CD.

During course of hearing, Ld. Spl. PP in charge submits that originally this case was initiated u/s 363/365 IPC and subsequently, Section 376(2)(n) IPC and Section 6(1) of POCSO Act was added.

At the time of initial starting of the case u/s 363/365 IPC, this accused was granted bail by Ld. ACJM, Kakdwip and thereafter, Section 376(2)(n) IPC and Section 6(1) POCSO Act was added and as such there is change in circumstances of this case and hence, is the prayer of bail cancellation of the accused.

Ld. Defence Counsel submits that accused is in no way involved with the alleged offence and initially medical examination was denied by VG.

Considering, materials on record, it appears that investigation is already over and charge sheet has been submitted on 16.12.2024 against this accused u/s 363/366/376(2)(n) IPC and Section 6(1) POCSO Act. There is no materials on record to show that this accused has misused the bail granted to him or has threatened the VG and her family members or has tried to tamper the evidence in any way.

In such circumstances, there is no point in the prayer of IO.

As such, the petition dated 28.10.2024 filed by IO praying for cancellation of bail of the accused is rejected.

Cognizance is taken on CS filed on 16.12.2024.

Copies be supplied to accused.

Court diary is congested.

Fix 25.03.2025 for appearance and consideration of charge.

Return the CD.

D/C by me,

A.S.J. 1<sup>st</sup> Court  
& Spl. Pocso Court,  
Kakdwip, South 24 Parganas

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