

CNR WBUD01-000634-2026,

J.O.CODE WB00993

POCSO-12/2026

06.03.2026

Record is put up by petition.

FIR named accused persons namely Injamul Hoque, Arif Al, Ajmal Hossain, Ijatulla and Sohidulla have surrendered today. Vokatnama is filed on behalf of the five accused persons.

They are taken into custody and remanded to JC till 07.04.2026.

Bail petition is filed on behalf of the accused persons.

Copy of bail petition is served upon Ld P.P.

Heard both sides.

Ld advocate for the accused persons submitted that these accused persons are named in the FIR. They have today voluntarily surrendered in court. On the last occasion, one FIR named accused Md. Hedatulla was produced after being arrested. This accused was granted bail by this court.

Ld advocate today submitted that these five accused persons are exactly in the same footing as the accused Md. Hedatulla.

Ld advocate further submitted that the entire allegations in the FIR are in respect of accused no. 1 namely Mofijuddin Ahammad. There is no specific allegations against these accused persons apart from the fact that all these accused persons had trespassed into the house of the complainant and they outraged the modesty of the complainant and her minor daughter. Ld advocate further submitted that only due to this much allegation brought in the FIR against these accused persons, the POCSO Act was added. But the allegations are of a gross nature. As there is no specific allegation against the accused persons, they may be granted bail on any condition.

Ld P.P raised formal objection and submitted that this is otherwise a case of assault and the allegations brought against these accused persons u/s. 12 of the POCSO Act is generalized in nature. The individual role played by the accused persons can not be ascertained.

Ld P.P accordingly left the matter to the discretion of the court.

Ld advocate for the defacto complainant alleged that the investigation has just commenced. If the accused persons are granted bail at this stage, there is possibility that the investigation will get hampered.

I have heard all the sides.

I have perused the FIR and other relevant documents available in the case record. Undoubtedly, the case is at an initial stage and investigation has just commenced. However, it has to be considered whether the detention of these accused persons in custody is necessary in the interest of investigation. In this respect, I also take into consideration the fact that a counter case has been filed in respect of the incident. It appears that similar kinds of allegations are made in the counter case also. I also specifically consider that the allegation of assault upon the husband of the victim is specifically against accused no.1/Mofijuddin Ahammad. Considering the gross allegation brought against these accused persons u/s. 12 of the POCSO Act, I am of the view that custodial detention of these accused persons is not required in the interest of fair investigation. Accordingly, prayer for bail in respect of all five accused persons stands allowed. The accused persons may find bail of Rs. 4,000/- each with one surety of like amount each on condition that they will cooperate with the investigating agency in every manner and they shall meet the IO once every fortnight, till further orders. They shall not try to influence witnesses in any manner and shall under no circumstances leave the jurisdiction of this court without seeking prior approval. If on bail, to date that is 07.04.2026 for appearance and IO's report.

Dictated by me.

Judge

Judge, Spl. Court (POCSO) in ch.,
Raiganj, Uttar Dinajpur.