

POCSO Case No. 47 OF 2019

CNR No.WBUD01-002951-2019

J.O Code: WB00656

Order No.17

Dated:01.02.2021

The accused **Tapas Das** is produced from J/C through video conferencing.

The accused Satyen Das on C/B is present before this Court by filing hazira.

A bail petition is filed on behalf of the accused **Tapas Das**. The copy is shown to Ld. Spl.PP Sri Ajoy Kr. Das.

It is submitted again that no bail petition was pending or was rejected before or by any Higher Forum in connection with this case.

It is submitted by the defence that the accused person is innocent, he has been falsely implicated in this case and he is in custody since long. In the above situation, it is prayed that he may be enlarged on bail on any condition.

Ld.Spl.PP opposes the prayer for bail .

I have carefully considered the materials on record. I find that the charge has been framed u/s 4 of POCSO Act against the accused Tapas Das. A *prima facie* case has, therefore, been made out against him. The offence alleged appears to be very serious in nature and in view of above, I am not inclined to enlarge the accused Tapas Das on bail. The prayer for bail of the accused **Tapas Das** is rejected.

No witness is present today.

The Ld. Defence lawyer has filed a petition stating that the accused Satyen Das was under treatment while he was in custody. Now, he has been enlarged on bail but the Superintendent, Raiganj District Correctional Home as yet did not hand over him his medical documents. The copy is served to Ld. Spl.PP Sri Ajoy Kr. Das.

I have considered the submission made by Ld. Defence lawyer. I intend to know from the Superintendent, Raiganj District Correctional Home, that whether he handed over the medical documents of the accused Satyen Das to him after his being released on bail and I further intend to know the reason behind the fact that which prevented him to hand over the documents to the accused Satyen Das, if he still not hand over the medical documents to him.

The Superintendent, Raiganj District Correctional Home, is directed to submit report regarding handing of the medical documents to the accused Satyen Das without fail by or on the next date fixed.

Fixing **11.02.2021** for production, appearance of the accused Satyen Das and evidence of CSW-1/complainant and CSW-6 victim girl.

Issue summon at once to CSW-1/complainant and CSW-6 victim girl.

The prosecution do take steps accordingly.

To date for production of the accused Tapas Das.

Let a copy of this order be sent to the Superintendent, Raiganj District Correctional Home, for information and strict compliance.

Dictated & corrected by

Judge Special Court (POCSO)
Raiganj, Uttar Dinajpur

Judge Special Court (POCSO)
Raiganj, Uttar Dinajpur

