

POCSO Case No. 47 OF 2019

Order No.9

Dated:14.09.2020

The accused **Tapas Das** is produced from J/C through video conferencing. The accused **Satyen Das** is not produced from J/C and it is intimated by the Superintendent, Raiganj District Correctional Home to this Court that the accused **Satyen Das** is now under medical treatment inside the Hospital of the Presidency Correctional Home. Let the intimation along with the medical certificate of the accused Satyen Das be kept with the record.

A bail petition is filed on behalf of the accused **Tapas Das** and the accused **Satyen Das**. The copy of the bail petition is served upon Ld. Spl.PP Sri Ajoy Kr. Das.

It is submitted by Ld. Advocate appearing for the defence that no bail petition was pending or was rejected before or by any Higher Forum in connection with this case.

It is submitted again by the defence that these accused persons are in custody since long, they have been falsely implicated in this case, they are day labours and their family are suffering from financial crisis as they are in custody. In the above situation, it is prayed that they 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 charge has been framed in this case u/s 4 of POCSO Act. A *prima facie* case has been made out against these accused persons since submission of charge sheet. The offence alleged appears to be serious in nature and in view of that, I am not inclined to enlarge these accused on bail. The prayer for bail of the accused **Tapas Das and Satyen Das** is **rejected**.

On scrutiny I find that today is fixed for production and evidence of CSW-1/ the complainant and CSW-6 the victim girl. The summons were issued by this Court to these witnesses but unfortunately no return has been received. No witness has turned up today. This Court is trying hard to expedite the trial keeping in mind that these accused persons in custody.

Fixing **07.10.2020** for production and evidence of CSW-1/complainant and CSW-6 victim girl.

The prosecution do take steps accordingly.

To date for production.

Dictated & corrected

by me

Judge Special Court (POCSO)
Raiganj, Uttar Dinajpur

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Raiganj, Uttar Dinajpur