

POCSO- 89 of 2025
CNR No. WBUD01-003022-2025
J.O Code-WB-00699

Order No. 07

Dated. 11.11.2025

Record is put up today by filing a petition on behalf of the accused person namely Julius Nair.

A separate petition is filed on behalf of the above named accused person praying for bail on the ground stated therein along with documents by firisti.

Copy is served to the Ld. Spl PP.

Defacto complainant by filing a petition along with Vakalatnama raised strong objection against the prayer for bail of the accused person.

The Ld lawyer for the accused person submitted that he has been falsely implicated in this case. He has no involvement in the present case. There is a strong land dispute in between the accused person and complainant party. There is no chance of absconding the accused person as he is regular practicing Advocate of Raiganj Court. There is no possibility of tampering evidence of prosecution witnesses or hampering the investigation as charge-sheet has already been submitted against the accused person. Another accused person who is wife of the present accused has been suffering from Cancer since long. There is none in her family to look after her. On 14.11.2025 has been fixed for appointment of doctor at Tata Memorial Hospital, Mumbai for the purpose of treatment of his wife. In this context it is prayed to enlarge the accused person on bail on any condition.

Ld. Spl PP has raised no objection against the prayer for bail. He submitted that a dispute is going on in between the the accused person and complainant party regarding land matter. For the purpose of treatment of his wife who has been suffering from Cancer, the accused person may be enlarged on interim bail on any condition.

Ld. Lawyer for the defacto complainant raising strong objection submitting that the accused person is an influential person and there is every possibility of tampering evidence of prosecution witnesses if he release on bail. The victim girl of this case is only 9 years old girl. The accused person was arrested by the police from Matigara, District Darjeeling. The accused person had absconded and there is every chance of his further absconding, if he released on bail. He prayed to reject the prayer for bail of the accused person.

I have considered the submissions of all sides.

Perused the entire materials on record from which it reveals on completion of investigation charge-sheet has been submitted against the accused person under section 329(4)/115(2)/351(2)/3(5) of BNS read with section 8 of Pocso Act against the accused person above named.

It appears that the maximum punishment under section 8 of Pocso Act upto 5 years. Perused also the CD and all the documents produced as well as the documents filed on behalf of the accused person. It also appears that the wife of the accused person has been suffering from Cancer for last few years and her treatment is going on at Tata Memorial

Hospital at Mumbai.

Considering the entire materials available on case record as well as CD and considering the entire circumstances and the severe illness of the wife of the accused person and all aspects of this case I am inclined to allow the prayer for bail of the accused person namely Julius Nair.

Hence, the prayer for bail of the accused person viz., Julius Nair stands allowed.

He may be released on **interim bail** of Rs. 6000/- with two registered sureties of Rs. 3000/- each on condition to attend the court on each and every date fixed for trial and shall not disturb the victim girl and her family members as well as the prosecution witnesses.

If on bail, to date (**18-11-2025**) for appearance, supply of copy and filing appointment letter.

D/C by me

Judge Special Court (POCSO)
Raiganj, Uttar Dinajpur

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