

POCSO 96 of 2025
CNR WBUD01-00-3340-2025
Present : Rohan Sinha (WB00883)
State Versus Bipul Barman & others
Raiganj PS Case No. 1108 of 2025 dated 27.09.2025

Order no. 08
19.02.2026

1. The matter stands listed today for production of the accused and for hearing of the application for bail dated 06.02.2026 preferred on his behalf.
2. Learned Counsel representing the accused, Bipul Barman, has also tendered a further application for bail on this very day.
3. This Court is constrained to observe that the propriety and maintainability of successive bail petitions, when an earlier prayer remains pending consideration, does not, by itself, create any independent ground warranting favourable exercise of judicial discretion.
4. Learned PP-in-charge is present along with the *de-facto complainant*, who has placed on record a written objection opposing the prayer for bail with considerable vehemence.
5. Both the applications for bail are accordingly taken up together for hearing.
6. Heard the learned advocates appearing on behalf of the respective parties at length.
7. The principal plank of submission advanced on behalf of the accused/petitioner rests solely upon the duration of his judicial custody, it being contended that he has remained in incarceration since October, 2025.
8. Learned PP-in-charge, however, raises strenuous opposition, inviting attention of the Court to the nature of the accusation, which, according to the prosecution, is grave and serious, warranting continued detention.
9. The case docket reveals that charge-sheet has already been submitted against the accused/petitioner for commission of an offence punishable under Section 6 of the POCSO Act.
10. Submission of the charge-sheet, *prima facie*, lends justification to the accusation levelled against the accused/petitioner, thereby strengthening the prosecutorial case at this stage.
11. The allegation pertains to an offence of the most heinous character, one that contemplates aggravated sexual assault upon a child, wherein the sanctity of tender innocence is alleged to have been subjected to profound violation.
12. The gravity of the accusation, coupled with the statutory presumption operating in such offences and the potential psychological trauma inflicted upon the victim, unmistakably places the matter within that category of crimes which demand the highest degree of judicial circumspection.
13. At this nascent stage of the proceeding, when the evidentiary structure awaits testing during trial, premature enlargement of the accused on bail cannot be viewed with favour, particularly in view of the attendant risk of witness intimidation and the possible erosion of societal confidence in the administration of criminal justice.
14. The seriousness of the offence, the collective conscience of society that stands affronted by such allegations, and the paramount consideration of safeguarding the victim's interests decisively outweigh the plea of personal liberty urged on behalf of the accused.
15. For the reasons discussed hereinabove, both the applications for bail are rejected.
16. The accused is remanded to judicial custody until the next date fixed.
17. Let the matter be listed on 24.03.2026 for production of the accused and for submission of service report of notice issued upon the other accused persons.

D/C by me

Additional District & Sessions Judge-I,
Raiganj, Uttar Dinajpur
In Charge of
Judge Spl. Court (POCSO)
Raiganj, Uttar Dinajpur

Additional District Sessions Judge- I
Raiganj, Uttar Dinajpur
In Charge of
Judge Spl. Court (POCSO)
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