

**06**

**05-3-19.**

Accused Md Ohidul @ Ohidul has not been produced from Correctional Home. However, a bail application has been filed on behalf of the accused. The same is taken up for consideration in presence of Id Special P P.

Ld lawyer in support of the prayer for bail submitted that the petitioner is in custody since 12-01-19. He further submitted that it is a clear case of consensual sex between the two adults. He further submitted that CS has already been submitted in this case and further detention of the petitioner will not serve any useful purpose.

Ld Special P P raised objection to the prayer for bail.

I have heard the Id counsels for the parties and have considered their submissions. I have also perused the case record. On perusal of the case record I find that CS has been submitted in this case on 12-02-2019 and cognizance of the same has been taken by this court on 18-02-2019. I have also perused the statement of the VG recorded u/s 164 of Cr P C. Considering the nature of allegation and further taking into consideration the period of detention already undergone by the petitioner and further taking taking into consideration that CS has been submitted in this case, I am of the considered view that no useful purpose will be served in keeping the petitioner behind the bar.

Petitioner Md Ohidul @ Ohidul may find bail on furnishing bond of Rs.5,000/- with two sureties of like amount, subject to the satisfaction of the Ld Special Judge, Islampur. On further condition that he will regularly attend the court to face trial, if on bail to **26-3-2019** for appearance and framing of charge.

Additional District & Sessions Judge – II  
cum designated court under the POCSO Act,  
Islampur in charge .