

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
2ND COURT, PASCHIM MEDINIPUR
ESPECIALLY DESIGNATED UNDER THE PROTECTION OF CHILDREN FROM
SEXUAL OFFENCES ACT, 2012**

**Present:- Smt. Tania Ghosh,
Additional Sessions Judge**

**POCSO Case No. 29/2019
R.No. 29/19**

Order No.18 dated 05.10.2020.

Today is fixed for production of the accused from P.C and hearing of the bail petition.

The accused namely Sagar @ Goutam Das @ Naru is produced this day from police remand after completion of 5 days police remand. He is taken in custody and remanded to M.C.C.H, Paschim Medinipur till 16.10.2020 .

Received accused challan, returning report of P.C accused Sagar @ Goutam Das @ Naru, 4 inspection Memo from All Women P.S Kharagpur, Paschim Medinipur.

Let it be kept with the record.

The bail petition for and on behalf of accused Sagar @ Goutam Das @ Naru is taken up for hearing.

Ld. Advocate for the accused / petitioner submits that the accused person has been falsely implicated in this case. He further submits that the case was initiated on 29.03.2019 u/s 323/354B/120B and 8 of the POCSO ACT 2012 and on 11.06.2019, the I.O of the instant case prayed for adding of sections 366A/370/372/376(2) (I) (n) of I.P.C and section 6 of the POCSO ACT 2012 and u/s 5 I.T.P Act, subsequently, the prayer has been allowed by this court. He further submits that the case was initiated u/sections 323/354B/120B of I.P.C and 8 of the POCSO ACT but the I.O of the instant case did not send any notice to the accused. There is no chance of absconsion of the present petitioner/ accused. He prays for bail in any terms and condition.

Ld. Special P.P vehemently opposed the prayer for bail and submits that the case was initiated on 29.03.2019 , but the accused apprehended on 29.09.2020. The accused was absconded for a long period.

Heard both sides.

Perused the case diary and record. It transpires that the accused is named in F.I.R . In spite of having knowledge that there is a specific case u/s 366A/370/372/376(2) (I) (n) of I.P.C and section 6 of the POCSO ACT 2012 and u/s 5 I.T.P Act and u/s 323/354B/120B of I.P.C and 8 of the POCSO ACT, the accused evade arrest . It further appears from the record that during investigation , the I.O collected some evidence against the accused whereby u/s 366A/370/372/376(2) (I) (n) of I.P.C and section 6 of the POCSO ACT 2012 and u/s 5 I.T.P Act were added. The accused was apprehended and produced before this court on 29.09.2020 whereas the F.I.R has been lodged on 29.03.2019. Custodial detention appears to be necessary for unearthing the truth. In view of the above the prayer for bail is considered and rejected at this stage.

POCSO Case No. 29/2019
R.No. 29/19

C.D be returned

Todate for production .

Dictated & corrected By me,

A.S.J

Addl. Sessions Judge , 2nd Court,
Paschim Medinipur.