ORDER SHEET

Bail application no. 12/19

25.02.2019

Record put up before me along with the case diary, in pursuance to order dated 16/02/19. Heard both sides.

It is submitted on behalf of the accused persons that they are not involved with the alleged offence, concerning section 8 of the POCSO Act, as scuffle between accused persons took place with the son of the informant on the next day of the incident, concerning section 8 of the POCSO Act. It is further submitted that the son of the informant, on the next day came to the house of the main accused White Rahman and then quarrel between the son of the informant and the present accused persons took place.

I have perused the case diary carefully. As per materials on the case diary and the FIR the allaged incident involving present accused persons took place on the next day of the main incident. Case diary aslo shows that quarrel/alleged assault of the son of the informant occurred after a considerable period of time from the alleged offence involving POCSO Act. A scrutiny of the materials collected by the I.O. so far, failed to indicate that the present accused persons had acted in furtherance with the common intention of the main accused attracting POCSO Act. I have also considered the final P.R. of the C.I. Moranhat dated 15/02/19, who directed the I.O. to file charge sheet against the bail petitioners concerning sections from IPC only.

Considering the materials on record and considering the period of detention, at this stage accused Jalal Ali, Sweet Rahman & Promise Ali are allowed to go on bail for Rs. 25,000/- with one surety of like amount each. Send back the case diary.

20/2/

Additional Sessions, Judge Charaideo, Sonari