Special Case No.43/2018

<u>27.11.2018</u> Accused Biswajit Mandal has been produced from custody.

A bail application has been filed for the accused. It is submitted by the learned defence counsel that the accused has been in custody for the last 4 (four) months and considering the fact that investigation into the case has been completed, the accused may be released on bail.

The learned Special P.P. objected to the bail prayer in view of the incriminating materials against the accused.

Record reveals that on 30.10.2018, the bail application of the accused was rejected after filing of the charge sheet.

In view of the rejection of bail prayer after the charge sheet, further bail application of the accused can be considered only on the merits of the case and not on the length of detention period.

In this regard, I have perused the materials and I find that bail cannot be granted as of now, in view of the incriminating materials, hence the bail stands rejected.

Heard both sides on the point of charge.

Considering the materials in the case diary , I find sufficient materials to presume that the accused has committed an offence U/S 4 of POCSO Act. Hence, charge Under Section 4 of the POCSO Act is framed against the accused to which he pleaded not guilty and claimed to be tried.

Issue Summons to P.ws.
Fixing 14-12-2018 for evidence.
Accused be produced on 10.12.2018.

Special Judge (FTC), Kokrajhar.