## Special (P) Case No. 38/19

## 27/09/19

Accused Ismail Hussain is produced from jail hajot and he is remanded till 11/10/19.

Heard both sides on the point of charge. Perused case record, case diary, ejahar, statement of the victim recorded u/s- 161 CrPC and 164 CrPC, medical report, statement of witnesses and on scrutiny of entire documents on record I find prima-facie materials to proceed with the case against accused Ismail Hussain u/s- 366A IPC and section 4 of the POCSO Act. Accordingly, formal charge is framed against accused Ismail Hussain u/s- 366A IPC and section 4 of the POCSO Act and read over and explained to the accused to which he pleaded not guilty and claimed to be tried.

By filing petition vide No. 1595/19 petitioner Hamida Bibi prays for grant of bail to accused Ismail Hussain. Heard counsel. Perused case record. After going through the materials on record, I am of the opinion that in this case further custodial detention of the accused is not necessary. Accordingly, Ismail Hussain is allowed to go on bail of Rs. 10,000/- with a suitable surety of like amount, in default remanded to jail hajot, on conditions that,

- Accused shall appear before the court on each date along with his bailor.
- 2. He shall not leave the jurisdiction of this court without prior permission of the court till disposal of the case.
- 3. He shall not commit offence of similar nature or any other offence during the bail off period.
- 4. Any violation of the above conditions would amount to cancellation of bail automatically.

Issue summon to the witnesses. Fix 21/12/19 for evidence.

Special Judge Nalbari