

01 28.09.2020
rkd Ct. No.12

**C.R.M. 12366 of 2019
(IA NO:CRAN 1 of 2020)
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Itahar** P.S. Case No. **131 of 2019** dated **14/05/2019** under Sections **363/365/34** of the Indian Penal Code and under Sections **3/4** of the POCSO Act.

And

In the matter of: - Manoranjan Roy @ Raju

....petitioner.

Mr. K. Paul

...for the petitioner.

Mr. S. Bardhan,

Ms. M. Roy

...for the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, CRAN 1 of 2020 is disposed of.

Petitioner is in custody for more than a year.

Learned counsel appearing on behalf of the State opposes the prayer for bail and submits that charge has been framed. Delay in trial is due to prevailing pandemic condition.

We have considered the materials on record and keeping in mind the prima facie involvement of the petitioner in the alleged crime and as the vulnerable witness is yet to be examined, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

The Special Court is directed to take steps for

continuation of trial particularly the examination of the victim at the earliest.

(Kausik Chanda, J.)

(Joymalya Bagchi, J.)