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06-10-2020

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Court 11

C.R.M. 6644 of 2020
IA No. CRAN 1 of 2020

(Via Video Conference)

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with New Jalpaiguri Police Station Case No. 175 of 2019 dated 10.03.2019 under sections 4/6 of the POCSO Act.

Tapash Chakraborty @ Puchka
Versus
State of West Bengal

Mr. Arnab Saha, Adv.

...for the petitioner.

Mr. Aditi Shankar Chakraborty, Adv.

Mr. Biswarup Roy, Adv.

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

CRAN 1 of 2020 is accordingly, disposed of.

Considering the statement of the victim under Section 164 of the Code of Criminal Procedure and the medical examination report produced before us, we reject the application for bail. The views expressed are prima facie.

We, however, direct the learned Additional Sessions Judge, 2nd Court at Jalpaiguri cum learned Judge, Special Court under POCSO Act, 2012 to conclude the proceeding, preferably within a period of one year from date without granting any unnecessary adjournment to either of the party. The learned Counsel for the prosecution as well as for the defence has assured before us that they shall co-operate with the learned Judge in disposing of the matter within the aforesaid period.

Let this order be immediately communicated to the learned District Judge, Jalpaiguri as well as the learned Judge, Special Court for compliance of this order.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)

