

15.10.2020
SL No.20
Court No.12
(gc/suman)
(Rejected)

CRM 7838 of 2020

(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Banarhat** Police Station, Jalpaiguri Case No.**107/2020** dated **16.05.2020** under Section **376** of the Indian Penal Code, 1860 read with under Section 4 of the POCSO Act, 2012.

And

In the matter of: **Aayub Alam**

....Petitioner.

Ms. Madhushri Dutta Majumdar

...for the Petitioner.

Mr. Kallol Acharjee,

Mr. Sourav Ganguli

...for the State.

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

Having considered the statement recorded under Section 164 of the Cr.P.C. of the victim child and the injury report, we are not inclined to grant bail to the petitioner.

Since the charges have already been framed and the statute requires that the trial has to be completed within one year, we direct the Trial Court to conclude the proceeding as expeditiously as possible and preferably within a period of one year from the date of communication of this order by either of the parties without granting any unnecessary adjournment to either of the parties.

Accordingly, the application for bail being CRM 7838 of 2020 is rejected.

All parties are to act on a website copy of this order on the usual undertaking.

(Aniruddha Roy, J.)

(Soumen Sen, J.)