

16.10.2020
S. List no.10
Bpg & srm.
rejected.

CRM 7891 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sahebganj Police Station Case no.403 of 2019 dated 12.08.2019 under Sections 4/17 of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Jainuddin Sekh**

...Petitioner.

Mr. Sudip Guha

...for the Petitioner.

Mr. Ujjal Lakshman,
Mr. Abhijit Sarkar

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The learned advocate for the petitioner submits that the petitioner is unnecessarily languishing in jail though he is incapable of committing an offence as alleged by the victim. It is further submitted that the petitioner is languishing in jail for more than 400 days and, therefore, should be released on bail.

The learned advocate appearing for the State opposes the prayer for bail. It is submitted that the earlier applications for bail were rejected by this Court and there being no changed circumstances, the present application deserves dismissal.

After hearing the respective submissions and on perusal of the materials shown in the memo of evidence filed before us and the fact that the charges have already been framed, we do not feel that it is a fit case whether the petitioner should be released on

bail. However, we request the learned Judge manning the POCSO court to fix a date for recording of an evidence and the efforts shall be shown to bring the matter to its logical end at an earliest.

CRM 7891 of 2020 is rejected.

(Harish Tandon, J.)

(Shampa Sarkar, J.)