

12.11.2020
D/L-27
PP/BM

CRM 9089 of 2020

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.28 of 2019 arising out of Tapan P.S. Case No.137 of 2019 dated 18.06.2019 under Section 4 of Protection of Children from Sexual Offences Act.

And

In the matter of: **Mubarak @ Mobarak Hossain**

....Petitioner.

Mr. Partha Chakraborty

...for the Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh

...for the State.

Learned advocate for the petitioner submits that the petitioner is in custody for 410 days and the evidence so recorded, till date, by the trial Court do not warrant further detention of the petitioner.

Mr. Banerjee, learned advocate for the State produces the case diary before this Court and draws out attention to the statement recorded under Section 164 of the Cr.P.C. of the victim. He further draws the attention to the facts that earlier twice this Hon'ble Court was pleased to reject the prayer for bail of the petitioner.

We have taken into account the materials appearing in the case diary and the evidence of the victim, which is yet to be completed before the learned Special Court.

Having regard to the stage of the case and the materials appearing in the case diary as also the fact that earlier twice this Hon'ble Court was pleased to reject the prayer for bail of the petitioner, we are of the opinion that the present stage of the case do not inspire to release the petitioner on bail.

Accordingly, the prayer for bail is rejected.

CRM 9089 of 2020 is disposed of

(Tirthankar Ghosh, J.)

(Shivakant Prasad, J.)