

08.04.2021
Court No.28
Item No.05
Krishnendu
Rejected

**CRM No. 33 of 2020
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Bauria Police Station Case No. 143 of 2018 dated 22.6.2018 under sections 363/365/376(3) of the Indian Penal Code, 1860 read with sections 6/8/12 of the Protection of Children from Sexual Offences Act.

And

In Re: **Mizanur Rahman alias Sk. Mizanur**

...Petitioner

Mr. Pronojit Roy

...For the Petitioner

Mr. Nuguive Ahmed, Id. A.P.P.

...For the State

The grievance of the learned advocate appearing for the petitioner is that the petitioner is in custody for more than 900 days and there has been no progress in the case as for a considerable period of time, no Presiding Officer was present in the POCSO Court.

Having regard to the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are not inclined to release the petitioner on bail and as such, his prayer for bail is rejected.

It has been informed to the Court that presently the Court is functioning and the next date is fixed on 12th April, 2021.

As presently the Court is functioning, we direct the learned Trial Court to take steps for expediting the progress of the trial

in view of the long detention of the petitioner and efforts must be taken to complete the trial by 31st December, 2021.

With the aforesaid observations, the application for bail , being CRM 33 of 2020, and all connected applications are disposed of.

The Registrar (Judicial Service) is requested to send a copy of this order to the learned District & Sessions Judge, Howrah, immediately.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)