

12.04.2021
Court No.28
Item No.13
Krishnendu
Rejected

**CRM No. 391 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Dholahat Police Station Case No. 51 of 2019 dated 18.02.2019 under section 6 of the Protection of Children from Sexual Offences Act, 2012 (Special Sessions Trial Case No. 28(06) of 2019 arising out of Special POCSO No. 05 of 2019).

And

In Re: **Raju Hossain Purkait**

...Petitioner

Mr. Partha Sarathi Mondal

...For the Petitioner

Mr. Neguive Ahmed, Id. A.P.P.

Mrs. Sukanya Bhattacharyya

Mr. Nirupam Dhali

...For the State

The Investigating Officer of the concerned case is personally present in Court with the medical report.

We have perused the medical report and the other materials made available along with the case diary.

In view of the incriminating documents available in the case diary and the *prima facie* involvement of the petitioner in the commission of the alleged offence, we are not inclined to release the petitioner on bail and as such, his prayer for bail is rejected.

We have been informed by Mr. Ahmed, the learned Counsel appearing for the State that out of eight witnesses proposed to be examined, three have already been examined.

In view thereof, we request the learned Judge, Special Court under POCSO Act, Kakdwip, South 24-Parganas, to conclude the examination of the witnesses preferably within a period of six months from the date of communication of this Court without granting any unnecessary adjournments to either of the parties. We make it clear that our observations are *prima facie*.

The application for bail, being CRM 391 of 2021, is disposed of.

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.)