

26.07.2021

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rejected

C.R.M. 809 of 2021
(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Golabari Police Station Case No. 576 of 2013 dated 31.07.2013 under Sections 341/326/307/376/511 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re : Tinku Kumar Singh petitioner

Mr. Dev Kumar Sharma
... for the petitioner

Ms. Zareen N. Khan
Ms. Sreeparna Das
... for the State

The charge is under various Sections of the Indian Penal Code including Sections 376 and 326 as also under Section 6 of the POCSO Act.

The survivor girl was 11 years old at the time of the alleged incident. The girl succumbed to burn injuries and made a dying declaration. The statements of various persons have been recorded under Section 161 of the Code of Criminal Procedure.

Learned Counsel appearing for the petitioner submits that the petitioner has been in custody for about 8 years and he has been framed.

Considering the material in the case diary, we are of the opinion that this is not a fit case to grant bail to the petitioner at this stage.

Accordingly, the application for bail being CRM 809 of 2021 is rejected.

After rejection of the prayer for bail, learned Counsel appearing for the petitioner prays for a direction on the learned trial court for expeditious conclusion of the trial.

We request the learned trial court to expedite the trial and conclude the same at the earliest without granting any unnecessary adjournment to either of the parties.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)

C.R.M. 192 of 2018

In Re.: An application under Section 439 of the Code of Criminal Procedure filed on 05.01.2018 in connection with Karimpur Police Station Case No. 136 of 2012 dated 03.07.2012 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Rabish Kumar Upadhyay petitioner

Mr. Asraf Ali

... for the petitioner

Mr. Debojyoti Deb

... for the State

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime of misappropriation of monies of the innocent depositors and the fact that the petitioner has absconded for a protracted period of time, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Rajarshi Bharadwaj, J.)

(Joymalya Bagchi, J.)

