

23.03.2021.
Item No.71
(Rejected)

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C.R.M. 985 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.11.2020 in connection with Bishnupur P.S. Case No. 258 of 2019 dated 11.04.2019 under Section 6 of the Protection of Children from Sexual Offences Act, 2012;

And

In the matter of : **Akash Das.**

... petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Toslim Ali,
Ms. Debapriya Majumder.

...For the petitioner.

Mr. Tanmoy Kumar Ghosh,
Ms. Sima Biswas.

...For the State.

The Advocate-on-Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

This is an application for bail in connection with Bishnupur Police Station Case No. 258 of 2019 under Section 6 of the Protection of Children from Sexual Offences Act, 2012 at the behest of the petitioner.

Learned Advocate for the petitioner submits that the petitioner is in custody for 720 days and although charge has been framed but there has been no progress in the trial.

Mr. Tanmoy Kumar Ghosh, learned Advocate for the State, opposes the prayer for bail and draws attention of this Court to the fact that the victim is between the age of 3½/4 years. The statement of the victim reflects the offence committed by the present petitioner.

Having regard to the alleged offence and the materials available in the case diary, we are not inclined to release the petitioner on bail at this stage.

Accordingly, the application for bail being CRM 985 of 2021 is **rejected**.

However, it has been submitted that the next date for trial is fixed on 22nd April 2021.

Accordingly, the learned Judge, Special Court is requested to take efforts so that there is a progress of trial in a smooth manner. The prosecution is requested to produce the witness as directed by the learned Special Court on each occasion so that the trial can be taken to its logical conclusion.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)