

CRM 2463 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ganga Sagar Coastal Police Station Case No.47 of 2020 dated 28-03-2020 under Section 376 AB of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act.

- A n d -

In the matter of : Loxmon Mondal

.... Petitioner.

Ms. Subhasree Patel,
Mr. Soham Banerjee

... For the Petitioner.

Ms. Sukanya Bhattacharya,
Mr. Md. Kutubuddin

... For the State.

The allegation against the petitioner is under Section 376 AB of the Penal Code and Section 6 of the POCSO Act. It is submitted on behalf of the petitioner that the petitioner is languishing in custody for about 495 days and trial has not concluded as yet.

The State refers to statements of the victim and other witnesses recorded under Section 164 of the Code which clearly implicate the petitioner.

We have considered the material on record. Allegation against the petitioner is extremely serious. The material in the Case Diary *prima facie* suggests involvement of the petitioner in the alleged crime. Witness action is about to commence, as reported.

Having considered the material in the Case Diary as well as the nature and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail being CRM 2463 of 2021 is, thus, **dismissed**.

However, we request the learned trial Court to conclude the trial as expeditiously as the business of the court may permit 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.**)