

37. 02.09.2021

Ct.32

Tanmoy

Rejected

C.R.M. 3500 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **21/04/2021** in connection with Special T.R. No. 101 of 2019 arising out of **Domjur Police Station Case No. 511 of 2019** dated **23/08/2019** under Section **6** of the POCSO Act.

And

In the matter of: - **Santiram Das @ Santilal Das**

....petitioner.

Mr. Kallol Mondal,
Mr. Krishan Ray,
Ms. Amrita Chel,
Mr. Souvik Das,
Mr. Anamitra Banerjee

...for the petitioner.

Mr. Arijit Ganguly,
Mr. Avik Ghatak

...for the State.

The petitioner renews his prayer for bail which was rejected by a co-ordinate Bench of this Court by order dated September 18, 2020 passed in C.R.M. 6869 of 2020.

The petitioner says that he has been falsely implicated. The victim girl's father owes money to the petitioner. When the petitioner demanded such money, the present false complaint has been lodged.

We have seen the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. The 5 years old girl vividly describes the heinous acts that the petitioner allegedly indulged in.

On an overall assessment of the material in the Case Diary and the facts and circumstances of the case as also in view of the earlier rejection of the petitioner's prayer for bail, we are not inclined to allow the present application for bail.

Accordingly, the application for bail being C.R.M. 3500 of 2021 is **dismissed**.

However, we are told that the petitioner is in custody for more than two years. Charge is yet to be framed.

In view of the protracted detention of the petitioner, we request the learned trial Court to expedite the consideration of charge and generally bring the trial to its logical conclusion as soon as possible and preferably within a period of one year from date.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)