

CRM 4633 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Karimpur Police Station Case No.37 of 2020 dated 15-02-2020 under Sections 363/365/120B/376 of the Indian Penal Code and under Section 6 of POCSO Act.

- A n d -

In the matter of : Bhanjan Halder @ Bhajan

.... Petitioner.

Ms. Karabi Roy

... For the Petitioner.

Mrs. Sukanya Bhattacharyya,
Mr. Nirupam Dhali

... For the State.

The petitioner renews his prayer for bail which was rejected by a coordinate Bench by an order dated September 23, 2020 in CRM 6569 of 2020. He says that he has been in custody for about 450 days. The charge is yet to be framed. It is anybody's guess as to when the trial shall commence or conclude. The victim girl has married somebody else and is leading a marital life.

We have seen the material in the Case Diary including the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. She was only 15 years old at the time of the incident. She has vividly described the alleged incident and the manner in which she was kidnapped and forced to have sexual relationship with the petitioner.

On an overall consideration of the facts and circumstances of the case and the *prima facie* incriminating material against the petitioner and also keeping in mind that the petitioner's prayer for bail was earlier rejected by this Court and since then, there has been no significant change of

circumstances, we are not inclined to allow the present application, at this stage.

The application for bail being CRM 4633 of 2021 is, thus, **dismissed**.

However, keeping in view the protracted detention of the petitioner, we request the learned trial Court to expedite the framing of charge and generally bring the trial to an early conclusion to the extent the business of the court may permit.

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

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**