

38 27.09.2021
(AD)
Court No.28
(Dismissed)

C.R.M. 4907 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 22/07/2021 in connection with **Tiljala** P.S. Case No.**266 of 2018** dated **19/07/2018** under Sections **376(2)(i)** of the Indian Penal Code 1860 and Section **6** of Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: Riaz Uddin @ Seikh Riazuddin Ahmed @
Riyazuddin @ Riajuddin
....petitioner.

Mr. Sananda Bhattacharyya
...for the petitioner.

Mr. Neguive Ahmed, Ld. APP
Ms. Amita Gaur
... for the State.

This is second round of litigation before this Court. The earlier application for bail filed by the petitioner being CRM 7261 of 2019 was dismissed on 13th August, 2019. The case was initiated on an allegation of the penetrative sexual assault upon a minor victim girl aged about nine years. She has narrated the unfortunate incident and the sexual assault perpetrated to her in her statement. Further more, the case is at the advanced stage as all the witnesses except the Investigating Officer and the attending medical doctor are yet to be examined.

In view of the above, we do not find any ground justifying the release of the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

However, we request the Court below to expedite the trial

of the case.

C.R.M. 4907 of 2021 is dismissed accordingly.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)