

07.12.2021
saswata
ct 28
sl no. 37

C.R.M. 5557 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Manikchak P.S. case no. 201/2021 dated 05.06.2021 under section 6 of the POCSO Act.

And

In Re : Rafiqul Islam @ Bhelu

..... petitioner

Mr. Sekhar Kumar Basu, Sr. Adv

Mr. Amarendra Chakraborty

..... for the petitioner

Mr. Aniket Mitra

..... for the State

The petitioner is in custody for 6 months.

It is submitted that the petitioner has been falsely implicated in the instant case. It is also submitted that there is hardly any progress in the matter.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record, including the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure Code. Her statement is corroborated by other witnesses and attending circumstances.

The prayer for bail is thus, rejected.

However, in view of the protracted period of detention suffered by the petitioner, we request the Trial Court to expedite the trial at an early date preferably within 6 months, keeping in mind the mandate under Section 35 of the POCSO Act.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)