

CRM No.5698 of 2021
(Via video conference)

29.11.21

(S.R.)
Sl.15
Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Raiganj** Police Station Case No.136 of 2019 dated 01.08.2019 under Sections 376(D) of the Indian Penal Code read with Section 6 of the POCSO Act (G.R. Case No.1128 of 2019);

And

In re: Latifur Rahaman @ Bullet

... petitioner.

Mr. Pronojit Roy

... for the petitioner.

Mr. Rudradipto Nandy

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for more than 488 days and charges have not yet been framed. There is, thus, no possibility towards early conclusion of the trial. In the said conspectus, further detention of the petitioner is not warranted.

Mr. Nandy, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary. He further submits that there had been no substantial change in the circumstances subsequent to earlier rejection of the petitioner's prayer on 20th January, 2021.

Having heard the learned advocates and considering the materials in the case diary, including the statements of the victim girl as recorded under Section 164 of the Code, the medical report, the gravity of the offence and the extent of complicity of the petitioner, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is refused at this stage.

The application for bail being CRM No.5698 of 2021 is, accordingly, dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)