

08.12.2021

49
sdas
rejected

C.R.M. 5802 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uluberia Police Station Case No. 63 of 2020 dated 13.02.2020 under Sections 376(A)(B) of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re : Mustak Mallick @ Bapon petitioner

Ms. Devi Priya Mitra
... for the petitioner

Ms. Faria Hossain
Mr. Aniket Mitra
... for the State

Prayer for bail was rejected by a co-ordinate Bench of this Court and liberty was given to renew his prayer after examination of the victim girl.

Victim girl has not been examined as yet. Hence, we are not inclined to consider prayer for bail of the petitioner at this stage.

The application for bail is, thus, rejected.

However, we request the trial court to take necessary steps to consider issue of framing of charge at the earliest and thereafter proceed with the trial particularly examination of the victim girl without granting any unnecessary adjournment to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

C.R.M. 192 of 2018

In Re.: An application under Section 439 of the Code of Criminal Procedure filed on 05.01.2018 in connection with Karimpur Police Station Case No. 136 of 2012 dated 03.07.2012 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Rabish Kumar Upadhyay petitioner

Mr. Asraf Ali

... for the petitioner

Mr. Debojyoti Deb

... for the State

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime of misappropriation of monies of the innocent depositors and the fact that the petitioner has absconded for a protracted period of time, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Rajarshi Bharadwaj, J.)

(Joymalya Bagchi, J.)

