

08.12.2021
Court No.32
rpan / **166**

CRM 6093 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Ranaghat Women Police Station Case No. 31 of 2021 dated 05.05.2021 under Sections 376(3)/376(2)(b)/419 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 67 of the Information Technology Act, 2000;

And

In re: **Prasenjit Kanshabanik @ Kangsabanik**

- Petitioner

Ms. Sananda Bhattacharyya (through v.c.)
... for the Petitioner.

Mr. Madhusudan Sur,
Mr. Manoranjan Mahata
... for the State.

Ms. Bhattacharyya, learned lawyer for the petitioner, submitted that the case was registered after lapse of four years and the victim refused medical examination of herself. All the allegations are concocted and no seizure has been made. She further submitted that the petitioner is in custody for 194 days. Trial is not very much in progress. Therefore, she prayed that the petitioner may be released on bail on the ground that further custodial detention is not warranted.

Per contra, Mr. Mahata, learned advocate appearing for the State submitted that strong incriminating materials are there against the present petitioner. Charge sheet has been filed but charge has not been framed. He strongly opposes the bail application as the allegations are grave and serious.

We have heard the rival submissions and perused the case diary.

We found strong incriminating materials in the case diary against the present petitioner. At the time of alleged relationship the victim was a minor girl of 15 years of age. There are also incriminating elements on record to the effect that videography of the victim girl was uploaded in adult *website*.

Accordingly, considering the nature of offence, its gravity, we are not inclined to allow the bail application and the same stands rejected.

The application for bail, being CRM No. 6093 of 2021 stands dismissed.

However, to expedite the trial, we pass a direction to the learned court below to consider charge within a period of one month from the date of communication of this order and if charges are framed, complete the trial preferably within a period of six months from the date of framing of the charge, if any.

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.)