

08.12.2021
tkm/ct 28
sl no. 86

C.R.M. 6229 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Panchla P.S case no. 228 of 2020 dated 21.9.2020 under sections 376AB of the IPC read with section 6 of the POCSO Act

And

In Re : Soumen Dhara petitioner

Mr. D Deb
Mr. A. Mitra

..... for the petitioner

Mr. P P Das
Mrs. Manasi Roy

..... for the State

Having considered the materials in the case diary disclosing prima facie involvement of the petitioner in the alleged penetrative sexual assault on the minor girl and as his prayer for bail was rejected in July 2021 and there is no substantial change in circumstance since then, we are of the opinion that this is not a fit case to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

However trial court is directed to conduct the trial on a day to day basis and conclude the same at an early date following the mandate under section 35(2) of the POCSO Act.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)