

01.12.2021
Item no.24
Court No.32
Avijit Mitra

C.R.M. 6595 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure;

And

In Re : Bikash Hari

.... petitioner

Ms. Juin Dutta Chakraborty

....for the petitioner

Mr. S. S. Imam,

Mr. S. Kundu

..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Kotwali Police Station Case No. 587 of 2020 dated 17.08.2020 under sections 376/120B/326A of the Indian Penal Code.

Ms. Chakraborty, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation chargesheet has also been submitted and as such, further detention of the petitioner, who is in custody for about 466 days, is not necessary.

Mr. Imam, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim girl as recorded under Section 161 of the Code and the injury report.

Records reveal that the petitioner's prayer for bail was earlier rejected on 16th July, 2021. There had been no change in

the facts and circumstances of the case subsequent thereto. In view thereof and considering the nature of allegation, the gravity of the offence and the extent of complicity of the petitioner, we are not inclined to exercise any discretion in his favour.

Accordingly, the application for bail being C.R.M. 6595 of 2021 is dismissed.

The learned Trial Court is, however, directed to take expeditious steps towards conclusion of the trial without granting any unnecessary adjournments to either of the parties.

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.)