

07.12.2021.

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(Rejected)

C.R.M. 7962 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda P.S. Case No.61 of 2019 dated 05.03.2019 under Sections 376D/365/306/511 of the Indian Penal Code.

In the matter of : Tofajul Sk @ Tufajul Sk. @ Juli.

...Petitioner.

Mr. Soumyajit Das mahapatra,

Mr. Ali Ahsan Alamgir,

Ms. Rabia Khatoon.

...for the Petitioner.

Ms. Zareen N. Khan

Mr. Ashoke Das.

...for the State.

Ms. Riya Das.

....for the de-facto complainant.

Heard the learned Advocates appearing for the parties.

Petitioner renews his prayer for bail. It is submitted that there is slow progress in the trial of the case.

Learned Advocate appearing for the State opposes the prayer for bail and submits the victim was subjected to gang rape and subsequently committed suicide. She submits that the date has been fixed for consideration of charge.

Learned Advocate appearing for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record including the statement of the deceased victim prima facie implicating the petitioner in the alleged crime.

In view of the gravity of the offence and as the matter is fixed for consideration of charge, we are of the opinion that this is not a fit case to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

We request the trial court to consider the framing of charge at the earliest and to take the proceeding to its logical conclusion without granting unnecessary adjournments to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)