

06.07.2021  
Item no.35  
Court No.30  
Avijit Mitra

C.R.M. 10824 of 2020 (through video conference)

In Re:- An application for bail under Section 439 of the  
Code of Criminal Procedure, 1973;  
And

**In Re : Bapan Boiragi**

.... Petitioner

Mr. Mrinal Kanti Mukherjee  
...for the petitioner

Mr. Rana Mukherjee,  
Mr. Sujata Das,  
Ms. Debjani Sau  
...for the State

The present application has been preferred in connection with Dholahat Police Station Case No.141 of 2020 dated 11<sup>th</sup> May, 2020 under Sections 363/365 of the Indian Penal Code subsequently added Section 376(3) of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offence Act, 2012.

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation, chargesheet has also been submitted. The petitioner is languishing in custody since 3<sup>rd</sup> June, 2020. There is also no possibility towards early conclusion of trial. In the said conspectus, further detention of the petitioner is not necessary.

Mr. Mukherjee, learned advocate appearing for the State opposes the petitioner's prayer.

Having heard learned advocates appearing for the respective parties and considering the materials on record,

the gravity of the offence and the extent of involvement of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner. Accordingly, the prayer for bail is refused at this stage.

However, learned Court below is directed to conclude the trial as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

The application being C.R.M. No.10824 of 2020 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Suvra Ghosh, J.)**

**(Tapabrata Chakraborty, J.)**