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11.02.2021
p.b./rrc

CIRCUIT BENCH OF CALCUTTA HIGH COURT AT JALPAIGURI

C.R.M. 153 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhupguri Police Station Case No. 173 of 2019 dated 20.05.2019 under Section 376(2) of the Indian Penal Code read with Section 4 of the POCSO Act.

In the matter of : **Faterul Hoque @ Mozammel Haque**
@ M/S Fatejul Haque @ Fatejul
... petitioner

Ms. Banasri Dutta

.....For the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Biswarup Roy

.....For the State

It appears from an order dated 23rd December, 2019 passed by a Coordinate bench that the bail petition was rejected upon considering the gravity of the charges against the petitioner. The bench was, however, of the view that framing of charges should be done as expeditiously as possible.

According to learned counsel appearing for the State, although the charge-sheet was filed on 22nd June, 2019, charges have not yet been framed.

Having regard to the above facts, we are of the view that the learned court below should be directed to expedite the trial and conclude the same within 16 weeks from date and not later than 24th June, 2021. If the investigation is not concluded within the timeline as directed, the petitioner will be at liberty to pray for appropriate orders.

CRM 153 of 2021 is disposed of in terms of the above.

(Md. Nizamuddin, J.)

(Moushumi Bhattacharya, J.)