

16.12.2021
Court No.01
Item No. 29
sg

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

(Via Video Conference)

CRM 1040 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. 81 of 2021 dated 01.03.2021 under Section 4 of the POCSO Act read with Sections 376/506 of the IPC and charge sheet filed under Section 6 of the POCSO Act read with Sections 376(2)(n)/506 IPC.

And

In Re: **Sukumar Roy**

....Petitioner

Ms. Jeenia Rudra

... For the Petitioner

Mr. Ujjwal Luksom

Mr. Sagnik Sankar Sidkar

Ms. Namrata Das

... For the State

Two earlier orders of rejection are staring on the face of the petitioner. There is no change in circumstances for which we can reconsider the prayer for bail. However, having regard to the fact that the petitioner is in custody for 288 days, we direct the learned Sessions Judge (under POCSO Act), 2nd Court, Jalpaiguri to complete the procedural matters at a earliest and frame charge, if it had not been framed in the meantime and conclude the proceeding within a reasonable time preferably within a period of one year from the date of framing of charges or from the date of communication of this order, whichever is later.

The application for bail is, thus, rejected. CRM 1040 of 2021 is, accordingly, disposed of.

Urgent Photostat certified copy of this order, of applied for, be supplied to the parties upon compliance of all requisite formalities.

(Biswajit Basu, J.)

(Soumen Sen, J.)