

21.12.2021
SL No.30
Court No.1
PJ/SK

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1128 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Mathabhanga Police Station Case No. 98 of 2020 dated 05.03.2020 under Sections 6 of the Protection of Children from Sexual Offences Act and Section 376AB of the Indian Penal Code.

And

In the matter of : **Ballav Sarkar @ Radha Ballav Sarkar**
- Petitioner.

Mr. Debajit Kundu

... For the Petitioner.

Mr. Abhijit Sarkar,
Mr. Biswarup Roy

... For the State.

The learned Counsel for the petitioner submits that the petitioner is in custody for 535 days. There has been no substantial progress in the trial.

Having regard to the order passed by a Co-ordinate Bench on September 18, 2020, we are not inclined to grant bail to the petitioner at this stage.

However, we direct that the learned Judge cum Additional Sessions Judge, (POCSO Act), Mathabhanga, Cooch Behar to dispose of the matter as expeditiously as possible subject to convenience of the learned Trial Court and to make a time frame

without granting any unnecessary adjournment to either of the parties unless any unavoidable circumstances occurs.

The learned Trial Judge shall prepare a time schedule for the trial and the parties shall be duty bound to co-operate with the learned Trial Judge in disposing of the matter.

C.R.M. 1128 of 2021 is, thus, disposed of.

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

(Biswajit Basu, J.)

(Soumen Sen, J.)