

07.02.2022

Sl. 52

Court No.29

suvayan

(Rejected)

C.R.M. (DB) 311 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.01.2022 in connection with **English Bazar (Women)** P.S. Case No. **87 of 2020** dated **08/09/2020** under Section **4** of the Protection of Children from Sexual Offences Act.

And

In the matter of: Nabiul Sk.

....petitioner.

Mr. Mrityunjoy Chatterjee
Mr. Susnigdho Bhattacharyya

...for the petitioner.

Ms. Jareen N. Khan
Mr. Ashoke Das

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody in excess of 200 days. He draws the attention of the Court to the statement of the victim girl. He submits that in the cross-examination, the victim accepted that there was a love relationship between the victim and petitioner. He draws the attention of the Court to the respective ages of the victim as well as the petitioner.

Learned Advocate appearing for the State draws the attention of the Court to the examination in chief of the victim. She submits that next date fixed are March 8, 2022 and March 9, 2022 for the purpose of recording of evidence of the prosecution.

Considering the gravity of the offence and the involvement of the petitioner and considering the fact that the trial is in progress with the victim girl being examined and cross-examined and other prosecution witnesses yet to be examined we do not find it advisable to enlarge the petitioner on bail at this crucial stage of the trial. Consequently, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 311 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)