

C.R.M. (DB) 856 of 2022

30.03.2022
Sl. 71
Court No.29
sourav
(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Pukhuria** Police Station Case No. **210** dated **20.06.2019** under Sections **4/6** of the POCSO Act.

And

In the matter of: **Nilay Upadhyay @ Nilay Kumar Upadhyay**
....petitioner.

Mr. Navanil De,
Ms. Ayantika Roy,
Mr. Rajeshwar Chakraborty,
Mr. Subhrajit Dey

...for the petitioner.

Mr. Binay Panda,
Ms. Puspita Saha,

...for the State.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of three years.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. She submits that the trial is in progress.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the evidence of the prosecution is being recorded, we are unable to enlarge the petitioner on bail.

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

C.R.M. (DB) 856 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

