

02.05.2022

Sl. 38
With
39
Court No.29
suvayan
(rejected)

C.R.M. (DB) 1116 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **ECO Park** P.S. case No. **197 of 2020** dated **14/10/2020** under Section **376(D)** of the Indian Penal Code, 1860 and Section **6** of POCSO Act, 2012.

And

In the matter of: Rohit Das

....petitioner.

With

C.R.M. (DB) 1118 of 2022

In the matter of: Rohit Das

....petitioner.

Mr. Dipanjan Roy
Mr. Avijit Ghosal

...for the petitioners.

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakrabrty
Mr. Iqbal Kabir

...for the State.

Two applications for bail are taken up for consideration analogously as they arise out of same police complaint.

Learned Advocate appearing for the petitioners submits that the petitioners are in custody in excess of 580 days. The evidence of the victim girl is over. Therefore, the petitioners should be enlarged on bail.

Learned Advocate appearing for the State submits that out of eight prosecution witnesses, six were already examined. The trial is in progress. The next date is May 5, 2022 for the purpose of recording of evidence of the prosecution.

This is the third application for bail at the behest of the petitioners. There is hardly any material change in circumstances warranting grant of bail since the earlier order of rejection.

The trial is in progress. At this stage, it would not be prudent to enlarge any of the petitioners on bail.

The Trial Court is, however, requested to invoke the provisions of Section 309 of the Criminal Procedure Code and endeavor to dispose of the trial as expeditiously as possible and not to grant any unnecessary adjournments to any of the parties.

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

C.R.M. (DB) 1116 of 2022 with **C.R.M. (DB) 1118 of 2022** are dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)