

13.06.2022
tkm/ct 28
sl no. 64

C.R.M. (DB) 1620 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Habra PS case no. 508/2021 dated 9.8.2021 under sections 376(3) of the IPC and section 6 of the POCSO Act
And

In Re : Sukul Tudu @ Dubul Tudu petitioner

Mr. Kajal Mukherjee
Ms. Oindrila Ghosh

..... for the petitioner

Mr. Saryati Datta

..... for the State

Petitioner is in custody for 303 days. It is contended that the minor was tutored by her mother.

Learned lawyer for the State opposes the prayer for bail.

We have considered evidence on record including that of the minor victim. Minor has specifically implicated the petitioner. A stray observation in her cross examination ought not to be seen in isolation but in the backdrop of the other evidence on record. We do not wish to make any further comment as the trial is in progress.

However, in the facts and circumstance of the case and the gravity of the offence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournments to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)