

18.01.2022
Item no. 02
Court No.32
Avijit Mitra

C.R.M.5584 of 2021 (Through Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal;

And

In Re : Safiqul Islam @ Safikul Islam

.... petitioner

Mr. Kallol Mondal

....for the petitioner

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Mr. Bidyut Kumar Roy,

Ms. Rita Dutta

..... for the State

The present application has been preferred in connection with English Bazar Police Station Case No.30 of 2021 dated 06.01.2021 under Section 6 of POCSO Act and 313 of the Indian Penal Code.

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. He is languishing in custody for about 404 days and there is no possibility towards early conclusion of the trial. Upon completion of investigation chargesheet has also been submitted and as such, further detention of the petitioner is not warranted.

Mr. Mukherjee, learned Public Prosecutor appearing for the State opposes the petitioner's prayer and submits the forensic examination report. Let the said report, as produced, be kept on record.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case

diary, the forensic report, the seriousness of the offence and the extent of complicity of the petitioner, we are not inclined to exercise any discretion in favour of the petitioner and as such, his prayer for bail is refused at this stage.

Accordingly, the application for bail being C.R.M. No.5584 of 2021 is dismissed.

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

(Ajoy Kumar Mukherjee, J.) (Tapabrata Chakraborty, J.)