

13.07.2022

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rejected

C.R.M.(DB) No. 2274 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bidhannagar (Women) Police Station Case No. 25 of 2021 dated 05.09.2021 under Section 376(2)(f)(i)(n) of the Indian Penal Code and Section 6 of POCSO Act.

And

In Re : Tinku Bhowmik @ Dipak Bhowmik petitioner

Mr. Sourav Chatterjee

Mr. Gopal Das

Mr. Aditya Tiwari

Ms. Namrata Chatterjee

... for the petitioner

Ms. Zareen N. Khan

Mr. Ashok Das

... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for 310 days. It is further submitted that alleged incident is false. There is discrepancy with regard to the date of disclosure of the incident to the parents.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record including the evidence of the victim recorded during trial. She has categorically implicated the petitioner in the crime. Petitioner is a relation of the victim. Failure to promptly disclose the incident and/or delay in lodging F.I.R. may be prompted on the score of close relationship between the parties.

In view of the aforesaid incriminating circumstances and nature of offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same within a period of six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)