

02.08.2022
Sl. No.15
akd
[Rejected]

C. R. M. (DB) 2333 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.07.2022 in connection with Eco Park Police Station Case No. 138 of 2020 dated 04.08.2020 under Sections 376/506 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Md. Zakir***

... .. Petitioner

Mr. Sujash Ghosh Dastidar
Mrs. Maheswari Sharma
Mr. Ved Sharma
Mrs. Tulika Banerjee

... .. for the petitioner

Mr. Sankari Roy

... .. for the de-facto complainant

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Dipankar Pramanick

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about two years. It is further submitted petitioner has been falsely implicated in the instant case.

Learned Additional Public Prosecutor opposes the prayer for bail and submits trial has substantially progressed.

Learned advocate appearing for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record including the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. In view of the aforesaid materials on record, gravity of the offence and as trial is in progress, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

However, trial court is directed to expedite the trial and conclude the same at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)