

02.08.2022

cm/ct 28

sl. no. 39

Rejected

C.R.M. (DB) No. 2581 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jalangi P.S. **Case No. 434 of 2016** dated **06.05.2016** under Sections **341/323/307/34** of the Indian Penal Code and Section 4/6 of the POCSO Act.

And

In Re : Eltu Sk @ Iltu Sk.

..... petitioner

Mr. Rabiul Islam
Mrs. Pramita Banerjee
Mr. S.A. Munshi

..... for the petitioner

Mr. Binay Panda
Ms. Puspita Saha

..... for the State

Petitioner is in custody for more than six years. He renews his prayer for bail.

Learned lawyer for the State opposes the prayer for bail. She submits trial is in progress and four witnesses have already been examined.

We have considered the materials on record. Allegations relates to sexual assault on a minor victim. Trial has substantially progressed.

Under such circumstances and in view of the gravity of the offence, we are not inclined to grant bail to the petitioner.

We direct the trial court to conclude the trial at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)