

03.08.2022

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rejected

C.R.M.(DB) No. 2600 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rajapur Police Station Case No. 49 of 2022 dated 02.03.2022 under Sections 376/506 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re : Mustakin Mal @ Buro @ Mostakin Mal petitioner

Mr. Mrityunjoy Chatterjee

... for the petitioner

Ms. Zareen N. Khan

Md. Kutubuddin

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 175 days. Petitioner has been falsely implicated in the instant case.

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

We have considered the materials on record including statement of the minor victim. Petitioner is a relation of the victim. Taking advantage of such relationship he had violated her. Other family members intervened in the matter. Their statements implicate the petitioner.

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

The application for bail is, thus, rejected.

We direct the trial court to expedite the trial and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)