

08.08.2022.
31.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2658 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chinsurah Women P.S. Case No.16 of 2022 dated 21.03.2022 under Sections 376(2)(n)/376(3)/506 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Shipul Karmakar @ Shubha Karmakar.
....Petitioner.

Mr. Ujjal Ray.
...for the Petitioner.

Ms. Zareen N. Khan,
Mr. Arup Sarkar.
...for the State.

Heard the learned Advocates appearing for the parties.

Petitioner is in custody for about 135 days. It is submitted there is delay in lodging the first information report.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Victim is a minor girl aged around 12 years. Petitioner was a neighbour and had sexually violated her. Under such circumstances, some delay in lodging the first information report is understandable.

Keeping in mind the aforesaid incriminating materials and gravity of offence, we are not inclined to grant bail to the petitioner.

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

Trial court is directed to consider the issue of framing of charge on the next date fixed before it and in the event charge is framed to conclude the trial with utmost expedition bearing in mind the statutory requirement under Section 35(2) of the POCSO Act.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)