

10.08.2022

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rejected

C.R.M.(DB) No. 2690 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kashipur Police Station Case No. 268 of 2021 dated 03.06.2021 under Sections 341/323/354/376(2)(n)/506/34 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re : Mostakin @ Mustakin Molla petitioner

Mr. Goutam Sardar

Mr. Debayan Sen

Mr. Goutam Malik

Ms. Sikha P.Chowdhry

Mr. Nilanjan Sil

Mr. Jaharlal Purkait

Mr. Nilay Baran Mondal

... for the petitioner

Ms. Faria Hossain

Mr. Anand Keshari

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for fourteen months.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Statement of the minor victim shows she was subjected to forcible sexual intercourse.

In view of gravity of the offence and the incriminating materials on record, 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.)