

18.08.2022
cm/ct 28

C.R.M. (DB) No. 2765 of 2022

sl. no.18

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Amta P.S Case No. 29 of 2022** dated **06.02.2022** under Sections **376(3)** of the Indian Penal Code, and Section 6 of Protection of Children from Sexual Offences Act..

Rejected

And

In Re : Rakibul Kandakar.

..... petitioner

Mr. Sourav Chatterjee
Mr. Anindya Ghosh

..... for the petitioner

Mr. Tanmay Kr. Ghosh
Mr. Arindam Sen

..... for the State

Petitioner is in custody for 192 days. He submits there is delay in the progress of trial before the court below.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the minor victim recorded under Section 164 Cr.P.C. Minor victim has implicated the petitioner in the alleged offence.

Keeping in mind the aforesaid circumstances and gravity of the 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 conclude the trial at an early date bearing in mind the statutory mandate under Section 35 of the POCSO Act.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

