

23.08.2022
cm/ct 28

C.R.M. (DB) No. 2814 of 2022

sl. no.29

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **English Bazar Women P.S Case No. 243 of 2021** dated **10.12.2021** under Sections **6/17** of the Protection of Children from Sexual Offences Act, 2012, subsequently charges framed under Section 6 of the Protection of Children from Sexual Offences Act, alternatively under Section 376D of the Indian Penal Code.

Rejected

And

In Re : Sayem Sk.

..... petitioner

Mr. Rajdeep Mazumder
Ms. Radhika Agarwal

..... for the petitioner

Ms. Z. N. Khan
Mr. Arup Sarkar

..... for the State

Petitioner renews his prayer for bail.

Learned lawyer for the State opposes the prayer for bail. He submits date has been fixed for recording of evidence.

We have considered the materials on record. Statement of the minor victim implicates the petitioner in the offence of penetrative sexual assault. Bail prayer of the petitioner was rejected in May, 2022 and there is no extenuating change in circumstance since then.

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

Accordingly, the prayer for bail of the petitioner is rejected at this stage.

Trial court is directed to expedite the trial and conclude the same as expeditiously as possible without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

