

29.08.2022

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Rejected

C.R.M. (DB) No. 2905 of 2022

In Re.: An application under Section 439 of the Code of Criminal Procedure in connection with Nowda Police Station Case No. 60 of 2022 dated 19.03.2022 under Sections 448/354A(2)/376/511 of the Indian Penal Code and under Sections 8/18 of the POCSO Act.

And

In Re : Akhatar Molla @ Babu petitioner

Mr. Arnab Chatterjee

Mr. Anisur Rahman

Ms. Dhanasree Biswas

... for the petitioner

Mr. Prasun Kumar Datta, learned A.P.P.,

Mr. Subrato Roy

... for the State

Petitioner renews his prayer for bail.

Learned Counsel appearing for the petitioner submits there is slow progress in the matter before the trial court since last rejection of bail by this Court.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered the materials on record. Bail prayer of the petitioner was rejected on 17.06.2022. There is no substantial change in the circumstances since then. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is, however, directed to consider the issue of framing of charge on the next date fixed for hearing and in the

event charge is framed to proceed with the trial in terms of the statutory mandate under Section 35(2) of the POCSO Act.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)