

31.08.2022

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rejected

C.R.M.(DB) No. 2938 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gobardanga Police Station Case No. 215 of 2019 dated 14.11.2019 under Section 377 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

And

In Re : Rajib Debnath alias Rabi Debnath petitioner

Mr. Angshuman Chakraborty

... for the petitioner

Mr. Joydeep Roy

Ms. Sujata Das

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 1100 days. It is also submitted there is slow progress in the trial of the case.

Learned Counsel appearing for the State opposes prayer for bail and submits bail prayer of the petitioner was rejected earlier.

We have considered materials on record including evidence of the minor boy who had implicated the petitioner in the alleged offence.

Keeping in mind the aforesaid materials on record, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

We request the trial court to conclude the trial at an early date preferably within six months from the next date fixed

for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)