

12.09.2022
Sl. No.13
akd
[Rejected]

C. R. M. (DB) 2956 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.08.2022 in connection with Murutia Police Station Case No. 65 of 2021 dated 31.03.2021 under Sections 4/6 of the POCSO Act. (POCSO Case No.10 of 2021)

And

In Re: ***Bhupen Swarnakar***

... .. Petitioner

Mr. Asraf Mandal

... .. for the petitioner

Mr. Bidyut Kumar Roy

Mrs. Sima Biswas

... .. for the State

Petitioner is a septuagenarian. It is submitted on his behalf that he is in custody for about 500 days. It is further submitted there is slow progress in the trial.

Report is placed on record. Date was fixed for consideration of charge on 08.09.2022. Due to vacancy in the trial court, charge could not be framed. Next date has been fixed on 14.11.2022.

We have considered the materials on record including the statement of the minor girl which implicates the petitioner in the alleged offence. His prayer for bail was rejected earlier on merits. Delay in the proceeding is due to systemic reasons and cannot be attributed to the prosecution. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

