

07.09.2022  
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rejected

C.R.M.(DB) No. 3018 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shyampur Police Station Case No. 227 of 2021 dated 12.06.2021 under Sections 363/376(3)/506/34 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re : Sk. Sani @ Sk. Saniyaz Ali ..... petitioner

Ms. Devi Priya Mitra

... for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Bibaswan Bhattacharya

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 451 days. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record including statement of the victim girl implicating the petitioner in the offence of penetrative sexual assault. Accordingly, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to consider the issue of framing of charge at the earliest and in the event charge is framed to conclude the trial at an early date without granting unnecessary adjournment to either of the parties.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**