

20.09.2022.
18.
Ct.No.28
As/sdas
(Rejected)

C.R.M. (DB) 3144 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baruipur P.S. Case No.1542 of 2021 dated 04.09.2021 under Sections 363/365 of the Indian Penal Code and charge sheet submitted under Sections 363/365/376(3)(2n) of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Amit Gayen.

... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha.

...for the State.

Petitioner renews his prayer for bail. He submits there was a love affair between the parties.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statement of the victim shows petitioner had made indecent proposal to the victim which she refused. Subsequently, she was kidnapped and raped.

In view of the aforesaid incriminating materials and as bail prayer of the petitioner was rejected repeatedly on earlier occasions, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is directed to proceed with the trial keeping in mind the statutory mandate under Section 35(2) of the POCSO

Act and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)