

27.09.2022
tkm/ct 28
sl no. 33

C.R.M. (DB) 3260 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Balagarh PS case no. 100/2022 dated 25.3.2022 under section 376(2)(c) IPC and sections 4 and 6 of the POCSO Act

And

In Re : Biswadeb Kundu @ Viswadev Kundu petitioner

Mr. Sanat Kr. Das
Mr. Sujan Chatterjee

..... for the petitioner

Mr. Sudip Ghosh
Mr. A K Datta

..... for the State

Petitioner is in custody for 186 days. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including the evidence of the victim girl. She states she was administered deleterious substance. She lost her senses and was ravished by the petitioner. Videograph of the incident was also uploaded on the social media.

In view of the aforesaid incriminating materials and as trial is in progress, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)