

29.09.2022

Item No.13

Ct.No.34

dc.

Rejected

C.R.M. (SB) 242 of 2022

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Dhantala Police Station Case No. 103 of 2022 dated 03.03.2022 under Sections 8/12 of the Protection of Children from Sexual Offences Act.

And

In Re : **Kawsar Ali Sardar @ Abbas**

... Petitioner.

Mr. Prabir Majumder,
Mr. Snehansu Majumder

... For the Petitioner.

Md. Anwar Hossain,
Ms. Ratna Ghosh

... For the State.

Mr. Prabir Majumder, learned advocate appearing for the petitioner submits that the petitioner is in custody for about 210 days and in spite of charge being framed in the month of June 2022, till date none of the witnesses has been examined.

Mr. Hossain, learned advocate appearing for the State produces the case diary.

I have perused the case diary and having regard to the fact that evidence of the vital witnesses are to be examined, I am not inclined to release the petitioner on bail at this stage. As such, the prayer for bail of the petitioner is **rejected**.

However, the learned Special Court is directed to prepone the date of examination of all the witnesses and

complete the evidence of CSW-2, CSW-3 and CSW-4 by the first week of December 2022.

The petitioner is granted liberty to approach this Court after recording of the evidence of the CSW-2, CSW-3 and CSW-4 are over.

The petitioner and the State are directed to produce this order before the learned Special Court so that the learned Special Court can prepone the date and take efforts for completing the evidence of the said witnesses by the first week of December 2022.

With the aforesaid observations, the application for bail, being CRM (SB) 242 of 2022, is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)