

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

12.04.2022
Item no.04
Ct.1
Suvendu

CRM (DB) 34 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973 in connection with Jaigaon Police Station Case No.127 of 2020 dated 23.05.2020 under Sections 376AB of the Indian Penal Code read with Section 6 of POCSO Act, 2012.

And

In the matter of:- Ranjan @ Niranjana Das ... Petitioner

Mr. Kallal Ghosh

.. for the petitioner

Mr. Aditi Shankar Chakraborty

Mr. Biswarup Roy

.....for the State

It appears from the submissions of learned counsel appearing for the petitioner and the State that two of the ten witnesses were examined on 13th April, 2021. The two witnesses are the victim girl and her father.

The petitioner is in custody for 700 days. However, since the statement of the victim girl recorded under Section 164 of The Cr.P.C. indicates the complicity of the petitioner, we are not inclined to grant bail. The Special Court is, however, directed to expedite the trial particularly in view of the fact that the last witness was examined on 13th April, 2021 and nothing has happened after that. The court below shall hence make a serious

effort of completing the trial within the outer limit of four months from today.

CRM(DB) 34 of 2022 is accordingly rejected and disposed of in view of the above order.

(Kesang Doma Bhutia, J.)

(Moushumi Bhattacharya, J.)