

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
(Through Video Conference)**

29.06.2022
cm/ct 28

C.R.M. (DB) No. 206 of 2022

JC no. 10

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Kotwali P.S Case No. 99 of 2021** dated **02.03.2021** under Section **363/365/34** of the Indian Penal Code, read with Section 6 of the POCSO Act, 2012.

Rejected

And

In Re : Sanjoy Jana

..... petitioner

Ms. Madhushri Dutta

..... for the petitioner

Mr. Aditi Shankar Chakraborty, Id. A.P.P.

Mr. Kallol Acharya

..... for the State

Petitioner is in custody for 451 days. He has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail. He submits victim is a minor.

We have considered the materials on record including statement of the victim recorded under Section 164 Cr. P. C. which prima facie discloses involvement of the petitioner in committing penetrative sexual assault on her.

In view of the aforesaid incriminating materials and gravity of the offence, we are not inclined to grant bail to the petitioner.

However, keeping in mind the protracted period of detention suffered by the petitioner, we direct the trial court to take prompt steps for conclusion of the trial at the earliest.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)