

03.02.2023
tkm/ct 28
sl no.53

C.R.M. (DB) 436 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gangnapur Police Station Case No. 39 of 2019 dated 11.4.2019 under Sections 376 (3) of the IPC and sections 4/6 of the POCSO Act

And

In Re : Prakash Nunia petitioner

Mr. S Bhattacharyya

..... for the petitioner

Mr. Swapan Banerjee

Ms. P Ghosh

..... for the State

Petitioner is in custody for over three years. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Victim is a 12 year old girl. She has implicated the petitioner in the crime. Medical evidence also corroborates the prosecution case.

In view of the gravity of the offence and the prima facie materials on record, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

Trial court is directed to conclude the trial as expeditiously as possible preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)