

09.02.2023

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rejected

C.R.M.(DB) No. 544 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murutia Police Station Case No. 65 of 2021 dated 31.03.2021 under Sections 4/6 of the POCSO Act.

And

In Re : Bhupen Swarnakar petitioner

Mr. Atis Kumar Biswas

Mr. Amit Singh

Mr. Jyoti Agarwal

... for the petitioner

Ms. Faria Hossain

Mr. Anand Keshari

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 279 days. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Statement of the minor implicates the petitioner in the offence of penetrative sexual assault. His bail prayer was rejected earlier on a number of occasions. Vulnerable witness is yet to be examined.

Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to take steps for expeditious trial and examination of the minor at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

