

09.02.2023
tkm/ct 28
sl no.32

C.R.M. (DB) 551 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jalangi Police Station Case No. 261/2021 dated 15.9.2021 under Sections 4/6 of the POCSO Act

And

In Re : Rajesh Mondal @ Sahajamal Mondal @ Sahajanal
..... petitioner

Mr. S Das Mahapatra
Mr. Amanul Islam
Mr. Sourav Mukhejee

..... for the petitioner

Mr. Binay Panda
Mr. S Bhakat

..... for the State

Petitioner is in custody for 482 days. It is submitted that there is delay in trial.

Learned lawyer for the State opposes the bail prayer. He submits delay was engineered by the petitioner.

We have considered the materials on record. Statement of the minor implicates the petitioner in the offence of penetrative sexual assault. Her evidence has not been recorded as yet.

Under such circumstances and in view of the gravity of the offence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)