

13.03.2023.
33.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 819 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta P.S. Case No.573 of 2019 dated 06.12.2019 under Section 376AB of the Indian Penal Code and Sections 4/6 of the POCSO Act.

In the matter of : Rajat Jyoti Biswas.

... Petitioner.

Mr. Partha Pratim Das,
Mr. T. Shil,
Mr. Manas Kr. Das,
Mr. Asraf Mandal,
Ms. Debjani Roy Chowdhury.

...for the Petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh.

...for the State.

Petitioner is in custody for more than three years. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Statement of the minor implicates the petitioner in the crime. Vulnerable witness has not been examined as yet.

Hence, we are not inclined to grant bail to the petitioner at this stage.

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

We direct the trial court to examine the minor victim at the earliest and conclude the trial as expeditiously as possible preferably within six months from the next date fixed for

recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)