

28.03.2023.  
36.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (DB) 959 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Egra P. S. Case No.649 of 2020 dated 15.12.2020 under Sections 363/366/365/34 of the Indian Penal Code and Section 4 of the POCSO Act.

In the matter of : Sk. Ajad Hossen @ Sekh Ajad Hossen.  
... Petitioner.

Mr. Aniket Mitra,  
Sk. Sahjahan Ali.  
...for the Petitioner.

Mr. S. S. Imam, Jr. Govt. Adv.,  
Mr. S. Kundu.  
...for the State.

Pursuant to our earlier order dated 24.03.2023 Investigating Officer is present in Court today. His presence is noted and dispensed with.

Petitioner is in custody for 780 days. He submits he has been falsely implicated. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Statement of the victim shows she was kidnapped and raped. Trial is in progress.

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

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

Trial court is directed to conclude the trial as expeditiously as possible bearing in mind statutory mandate under Section 35(2) of the POCSO Act.

**(Ajay Kumar Gupta,J.)**

**(Joymalya Bagchi, J.)**