

28.03.2023

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rejected

C.R.M. (DB) No. 1149 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Women Police Station Case No. 152 of 2017 dated 24.07.2017 under Sections 6/14 of the POCSO Act.

And

In Re : Anup Mandal petitioner

Mr. Arup Kumar Bhowmick
... for the petitioner

Mr. S. S. Imam
Mr. S. Kundu
... for the State

Learned Counsel for the petitioner submits he is in custody for three years. It is also submitted he has been falsely implicated. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. We have also examined the evidence of the victim. Her deposition shows she was kept confined, administered drugs and raped. In view of the vulnerable status of the victim, delay in lodging FIR appears to be prima facie explained. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, 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 adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)