

28.03.2023  
Sl. No.76  
akd  
[Rejected]

**C. R. M. (DB) 1181 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.03.2023 in connection with Harwood Point Coastal Police Station Case No.246 of 2022 dated 28.06.2022 under Section 376(3) of the Indian Penal Code and Sections 4(3)(2)/6(1) of the POCSO Act.

And

In Re: ***Pirali Sk.***

... .. Petitioner

Mr. Soumik Ganguli  
Mr. Supriyo Shasmal

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor  
Mr. Arani Bhattacharyya

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 270 days. It is further submitted there is a dispute between the petitioner and the family of the minor.

Learned Advocate for the State opposes the prayer for bail.

We have considered the evidence of the minor who is a seven-year old girl. She was taken inside a boat and ravished. Plea with regard to false implication over landed dispute requires to be assessed in the totality of circumstances on record. However, in view of gravity of the offence, 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 expedite the trial and conclude the same at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

Parties shall communicate a copy of this order to the trial court for due compliance.

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

**(Joymalya Bagchi, J.)**