

14.07.2023
Sl. No.37
akd
[Rejected]

C. R. M. (DB) 2802 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.06.2023 in connection with Gangarampur Police Station Case No.135 of 2022 dated 11.03.2022 under Sections 363/365/34 of the Indian Penal Code read with Section 6 of the POCSO Act and subsequently charge sheet submitted under Sections 363/365/34 of the Indian Penal Code and Sections 6/17 of the POCSO Act.

And

In Re: ***Ujjar Bhunjar @ Ujjwal Bhunjar***

... .. Petitioner

Mr. Kaushik Choudhury

... .. for the petitioner

Mr. Tanmoy Kr. Ghosh
Mr. Arindam Sen

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 489 days. Accordingly, he prays for bail.

Learned Advocate for the State produces the case diary.

We have considered the materials on record including the statement of the minor victim. She alleges she was forcibly abducted and raped. 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 consider the issue of framing of charge at the earliest and in the event charge is framed, to proceed with the trial with utmost expedition.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

