

18.07.2023.
29.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2838 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gobardhanpur Coastal P. S. Case No.07 of 2019 dated 01.02.2019 under Sections 376(2)(i)/376(2)(f) of the Indian Penal Code and under Sections 4/6 of the POCSO Act.

In the matter of : Narugopal Bhuinya.

... Petitioner.

Mr. Soumik Ganguly,
Mr. M. Chakraborty,
Mr. Supriyo Shasmal.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Amita Gaur.

...for the State.

Petitioner is in custody for more than four years. He submits inspite of direction given by this Court in CRM (DB) 2721 of 2022 to conclude the trial within six months, trial has not concluded.

Learned Advocate for the State submits aforesaid order had not been communicated to the trial court.

Nothing is placed on record to rebut such submission. We have considered the materials on record. Bail prayer of the petitioner was rejected earlier on merits in August, 2022. Trial is in progress. It does not appear order dated 12th August, 2022 in CRM (DB) 2721 of 2022 was communicated to the trial court.

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

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

We request the trial court to expedite the trial and conclude the same within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)