

21.08.2023

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sdas
rejected

C.R.M.(DB) No. 3263 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Canning Police Station Case No. 179 of 2016 dated 22.03.2016 under Sections 323/363/120B/366A/120B/368/370/370-A/372/373/506(II) of the Indian Penal Code and Sections 6/17 of the POCSO Act.

And

In Re : Firoj Ali @ Babu @ Bablu petitioner

Mr. Deepak Prahladka

Mr. Sarfaraz Hossain

Ms. Reshmi Khatun

....for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

..... for the State

1.Learned Counsel for the petitioner submits he is in custody for more than seven years. It is also submitted that he has been falsely implicated. In spite of direction given by this Court in July, 2022 trial has not concluded. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits trial is at its fag end. Victim has implicated the petitioner in the case.

3. We have considered the materials on record. Allegation against the petitioner involves trafficking of minor for sexual exploitation. Minor victim has implicated the petitioner in the crime. Trial has substantially progressed and is at its fag end. Possibility of committing similar offence if on bail cannot be ruled

out. Under such circumstances we are of the opinion this is not a fit case to grant bail to the petitioner at this stage.

4. The application for bail is, thus, rejected.

5. Trial court is directed to conclude the trial as expeditiously as possible preferably within three months from the next date fixed of recording evidence without granting unnecessary adjournment to either of the parties.

6. Parties shall co-operate with the trial court.

7. Order shall be communicated to the trial court for due compliance.

(Rai Chattopadhyay, J.)

(Joymalya Bagchi, J.)