

05.09.2023
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rejected

C.R.M.(DB) No. 3459 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhadreswar Police Station Case No. 225 of 2021 dated 17.06.2021 under Sections 363/364/376/511/326/307 of the Indian Penal Code and Section 10 of the POCSO Act.

And

In Re : Partha Choudhury @ Ghanta petitioner

Mr. Soumya Basu Roy Chowdhuri
....for the petitioner

Ms. Zareen N. Khan
Mr. Ashok Das
..... for the State

1. Learned Counsel for the petitioner submits that he is in custody for over two years. It is also submitted there is delay in trial. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits victim has supported the case of penetrative sexual assault.

3. We have considered the materials on record. Victim is a minor. She was raped and thrown into the drain. Trial is in progress. Under such circumstances we are not inclined to grant bail to the petitioner.

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

5. Trial court is directed to conclude the trial as expeditiously as possible preferably within one year 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 in this regard.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)