

21.09.2023

9

sdas

rejected

C.R.M.(DB) No. 3569 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khatra Police Station Case No. 35 of 2021 dated 28.07.2021 under Sections 367/376/511/326/379/34 of the Indian Penal Code.

And

In Re : Prasanta Duley .... petitioner

Ms. Souvari Ray

....for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

.... for the State

1. Learned Counsel appearing for the petitioner submits he is in custody for more than two years. He prays for bail.

2. Learned Counsel for the State produces evidence of the victim girl.

3. We have considered the evidence of the victim girl. She was subjected to penetrative sexual assault and severely injured. Her evidence corroborates the prosecution allegation. Medical report also supports the same. Offence, if proved, would attract minimum imprisonment for twenty years. Under such circumstances and in view of gravity of the offence we are not inclined to grant bail to the petitioner at this stage.

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

5. Trial court is directed to conduct the trial and conclude the same with utmost expedition without granting unnecessary adjournment to either of the parties.

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

**(Joymalya Bagchi, J.)**