

18.12.2023.
61.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3587 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mothabari P. S. Case No.147 of 2023 dated 23.05.2023 under Section 376DA of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Masum @ Masum Sk.**

... Petitioner.

Mr. Sekhar Kumar Basu, Id. Sr. Adv.,
Mr. Soubhik Mitter,
Mr. Sayan Das.

...for the Petitioner.

Ms. Faria Hossain,
Mr. Anand Keshari.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Victim is a specially challenged girl. Her deposition has been recorded. She has alleged she was subjected to penetrative sexual assault by the petitioner and co-accused.
3. Under such circumstances, we are not inclined to grant bail to the petitioner.
4. Accordingly, the prayer for bail of the petitioner is rejected.
5. Trial Court is requested to conclude the trial as expeditiously as possible without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)