

15.09.2023
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rejected

C.R.M.(DB) No. 3594 of 2023

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

And

In Re : Narugopal Bhuinya petitioner

Mr. Supriyo Shasmal
....for the petitioner

Mr. Neguive Ahamed, learned APP
Ms. Ayantika Roy
..... for the State

1. Learned Counsel for the petitioner submits that the order dated 12th August, 2022 had been communicated to the trial court. But the trial has not concluded. This was not considered when the earlier bail application being CRM (DB) 2838 of 2023 was turned down in 18th July, 2023. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Case involves penetrative sexual assault on a minor. Bail prayer of the petitioner was rejected in July, 2023 and it was directed that trial be concluded within six months. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)