

19.09.2023
tkm/ct 28
sl no. 41

C.R.M. (DB) 3617 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Asanasol (South) P.S. Case No. 398 of 2022 dated 28.9.2022 under sections 448/326/307 IPC and section 8 of the POCSO Act and sections 25(1B)(a)/27 of the Arms Act
and

In Re : Ujjal Das petitioner

Mr. A Chakraborty
Mr. S S Saha

..... for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

..... for the State

Mr. Uday Sankar Chattopadhyay
Ms. Trisha Rakshit
Ms. Rajarshee Ta

..... for the de facto complainant

1. Petitioner is in custody for 370 days. He submits witnesses have not turned up during trial. He prays for bail.
2. Learned lawyer for the State submits petitioner had fired at one of the victims and sexually assaulted another.
3. We have considered the materials on record. Statements of witnesses show petitioner had sexually assaulted the victim and fired at another person. Petitioner appears to be violent and it is possible he shall intimidate witnesses. Hence, we are not inclined to grant bail to him at this stage.
4. Accordingly, the prayer for bail is rejected.
5. We direct the trial court to fix schedules for examination of witnesses at regular intervals and conclude the trial within a year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.
6. Parties shall communicate this order to the trial court for necessary compliance.

(Ajoy Kumar Mukherjee, J.)

(Joymalya Bagchi, J.)