

16.10.2023

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rejected

C.R.M.(DB) No. 3628 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murarai Police Station Case No. 153 of 2018 dated 22.04.2018 under Sections 420/292(2)/503/506 of the Indian Penal Code and under Section 4 of the POCSO Act and Section 66E of the Information Technology Act.

And

In Re : Laltu Sk. .... Petitioner

Mr. Prosenjit Mukherjee  
Mr. Saptarshi Chakraborty  
Ms. Poulami Dutta

....for the petitioner

Mr. Rudradipta Nandy, learned APP  
Ms. Sonali Das

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than 370 days. It is also submitted that victim is a 17 year old girl and allegation of rape is false. He prays for bail.

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

3. We have considered the materials on record including evidence of the minor. She states she was subjected to penetrative sexual assault through deceit and blackmail. In view of nature of offence implicating the petitioner in the crime we are not inclined to grant bail to the petitioner at this stage.

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

5. We request the trial court to conduct the trial with expedition and conclude the same at an early date preferably within six months 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 due compliance.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**