

10.10.2023.  
51.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (DB) 3907 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagarpara P. S. Case No.222 of 2021 dated 15.12.2021 under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Sukhen Saha.**

... Petitioner.

Mr. Robiul Islam,  
Mr. Raju Mondal,  
Mr. K. M. Hossain,  
Mr. Jayed Hossain.

...for the Petitioner.

Mr. Joydeep Roy, Id. Jr. Govt. Adv.,  
Ms. Sujata Das.

...for the State.

1. Petitioner submits victim has not supported the prosecution case. He renews his bail prayer.
2. Learned Advocate for the State opposes the prayer for bail. He submits victim suffered injuries.
3. We have considered the materials on record. Victim claimed that she had gone to purchase oil and petitioner assaulted her. Medical report shows injuries on her person which do not appear to be the result of assault owing to dispute over selling of oil.
4. In this factual ground and as the victim is a minor girl, we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail of the petitioner is rejected.
6. We request the Trial Court to conclude the trial as expeditiously as possible preferably within six months

from the next date fixed for recording prosecution witnesses without granting unnecessary adjournment to either of the parties.

7. Parties shall communicate this order to the Trial Court for due compliance.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**