

10.10.2023.
54.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3910 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ashokengar P. S. Case No.797 of 2021 dated 26.10.2021 under Section 376(2)(1) of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Sushanta Maity.**

... Petitioner.

Mr. Surajit Basu.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

1. Petitioner is in custody for two years. He submits there is delay in trial.
2. Learned Advocate for the State opposes the prayer for bail. He contends trial has considerably progressed.
3. We have considered the materials on record. Number of witnesses including the victim has been examined. Allegations involve penetrative sexual assault on the minor.
4. Under such circumstances, we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail of the petitioner is rejected.
6. We direct the Trial Court to conclude the trial 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)