

13.10.2023
Sl. No.45
akd
[Rejected]

C. R. M. (DB) 4015 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.09.2023 in connection with Taherpur Police Station Case No.87 of 2019 dated 10.05.2019 under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act. (G.R. Case No.25 of 2019)

And

In Re: ***Dilip Debnath***

... .. Petitioner

Ms. Sananda Bhattacharyya

... .. for the petitioner

Ms. Zareen N. Khan

Mr. Ashok Das

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Victim is a five-year old child. Evidence on record shows she was subjected to penetrative sexual assault by the petitioner. Trial is in progress. In view of gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.
3. The application for bail is thus rejected.
4. Trial court is directed to expedite the trial 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.
5. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

