

18.12.2023
tkm/ct 28
sl no. 147

C.R.M. (DB) 4485 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chandernagore PS case no. 25 of 2022 dated 2.2.2022 under sections 376/120B/506 IPC and section 4/6 of the POCSO Act

And

In Re : Samiran Pakre

...petitioner

Mr. Tapas Kr. Ghosh

Mr. Tanmoy Chowdhury

..... for the petitioner

Mr. Arijit Ganguly

Mr. M F A Begg

..... for the State

1. Petitioner contends that there was enmity between him and father of the victim. He has been falsely implicated. Allegation of rape is out and out false. He prays for bail.

2. Learned lawyer for the State oppose the bail prayer.

3. We have considered the materials on record including the evidence of the victim. She has stated that she had been forcibly raped by the petitioner. She has also given explanation for the delay. Co-accused who is on bail stands on completely different footing.

4. Keeping in mind the aforesaid facts and the gravity of offence, we are not inclined to grant bail to the petitioner at this stage.

5. Accordingly, prayer for bail is rejected.

6. Trial court is requested to expedite the trial and conclude the same as expeditiously as possible preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)