

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

05.04.2023
Court No.1
(D/L 15)
(rejected)

CRM (DB) 142 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 16.03.2023 in connection with Sessions Case No.104 of 2022 arising out of Alipurduar Woman Police Station Case No.31 of 2022 dated 16.03.2022 under Sections 376 of the IPC.

And

In the matter of: **Sri Arjun Parihar @ Arjun Parihal @ Koushli Parihal**

... Petitioner.

Mr. Kalipada Das

... for the petitioner.

Mr. Ujjwal Luksom

Mr. Sagnik Sankar Sikdar

... for the State.

The petitioner herein is facing trial in the present case for offence under Section 376 of the Indian Penal Code for allegedly committing rape upon a mentally unsound woman (19 years),

It is submitted by the learned public prosecutor that the trial has commenced in the present case. On the other hand the learned counsel for the petitioner submits that till date no witness have been examined.

Considering all these circumstances and the nature of the present case, we are not inclined to grant bail to the accused petitioner in this case.

The learned trial Court is directed to make all endeavor to complete the trial in this case preferably within six months from the date of this order.

Both the prosecution and defence shall coordinate with the Court regarding the expeditious disposal of trial.

[SHAMPA DUTT (PAUL), J.]

(RAJARSHI BHARADWAJ, J.)