

05.06.2023
Court No.01
Item No. 14

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

sg

CRM (DB) 211 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sitalkuchi Police Station Case No. 235 of 2022 dated 23.08.2022 under Sections 363/365/109 of the Indian Penal Code and adding Section 6 of POCSO Act.

And

In Re: **Rasidul Mia**

Petitioner

Mr. Hillol Saha Poddar

For the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. SAGNIK SANKAR SIKDAR

For the State

This is the second application for bail. The petitioner is in custody for almost eight months. It appears that the co-ordinate Bench on 8th February, 2023 rejected the application for bail by recording the following observations:

“Learned counsel for the State opposes the prayer for bail and places reliance on the statement of the victim girl under Section 164 of the Code of Criminal Procedure, which clearly indicates serious allegations against the petitioner, inasmuch as the petitioner allegedly abducted the victim girl and confined her for several dates in a place and forced himself upon her.

Keeping in view the gravity of the alleged offence, we are not inclined to grant bail to the petitioner.”

There has been no change in circumstances for which we may revisit the issue. However, considering the fact that the charge-sheet has already been filed on 28th November, 2022, we direct the Learned Judge under POCSO Act cum

Additional Sessions Judge, Mathabhanga, Coochbehar to expedite the process of framing of charge and in the event the charge is framed, conclude the trial as expeditiously as possible.

The application for bail of the petitioner is rejected. CRM (DB) 211 of 2023 is accordingly, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J)

(Soumen Sen, J)