

05.06.2023
Court No.01
Item No. 15

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

sg

CRM (DB) 218 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with New Jalpaiguri Police Station Case No. 904 of 2022 dated 16.08.2022 under Sections 365/506 of the Indian Penal Code read with Section 4 of POCSO Act.

And

In Re: **Rahul Kumar Sharma**

Petitioner

Mr. Biswarup Roy

For the Petitioner

Mr. Tapan Bhattacharjee
Mr. Dhiman Sil

For the State

Having considered the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the medical report prima face supporting the statement made by the victim, we are not inclined to grant bail at this stage.

However, having regard to the fact that the charge sheet has already been filed on 12th October, 2022 and it appears from the order dated 4th April, 2023 that the learned Special Court had fixed 3rd May, 2023 for production and framing of charge, we direct the learned Judge Special Court to frame the charge without any further delay if it has not been framed as yet and to proceed with the trial and conclude the trial at the earliest.

The application for bail of the petitioner is rejected. CRM (DB) 218 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)