

05.6.2023
Court No.01
Item No. 29
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CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

CRM (DB) 249 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhaktinagar Police Station Case No. 1623 of 2021 dated 28.12.2021 under Sections 363/365 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re: **Sumit Sarkar**

.... **Petitioner**

Mr. Partha Pratim Sarkar
Ms.Rupa Basu
Mr. Sandip Guha Roy

... For the Petitioner

Mr. Saikat Chatterjee
Mr. Chattu Roy

... For the State

Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case.

Learned counsel appearing for the State opposes the prayer for bail. It is also submitted that the petitioner is married.

On consideration of the materials available in the case diary and the statement of the victim under Section 164 of the Code of Criminal Procedure read with medical examination report, , we are not inclined to grant bail to the petitioner at this stage.

The application for bail of the petitioner is rejected. CRM 249 of 2023 is accordingly, disposed of.

Learned Trial Judge is requested to expedite the trial and conclude the same within a reasonable time without granting any unnecessary adjournment to either of the parties, unless it is unavoidable.

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

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)