

09.6.2023
Court No.01
Item No. 07
ar
Rejected

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

CRM (DB) 297 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Metelli Police Station Case No. 46 of 2016 dated 24.3.2016 under Section 6 of the Protection of Children from Sexual Offences Act.

And

In Re: **Bablu Majhi**

.... Petitioner

Mr. Kallol Ghosh
Mr. Kishan Sah
Mr. Utpal Dutta
Mr. Rakesh Gupta

... For the Petitioner

Mr. Sagnik Sankar Sikdar

... For the State

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated by the mother of the victim.

Learned counsel appearing for the State opposes the prayer for bail. Learned counsel has relied upon medical examination report and the deposition of the minor as well as her mother.

Considering the nature of involvement of the petitioner as transpired from the case diary, the medical examination report and other incriminating materials, we are not inclined to grant bail to the petitioner at this stage.

The application for bail of the petitioner is rejected. CRM (DB) 297 of 2023 is accordingly, disposed of.

However, having regard to the fact that 3 witnesses out of 12 witnesses have been examined so far and the petitioner is in custody for about 7 years, we request the trial court to conclude the trial within one week from next date fixed and the trial court shall not grant any adjournment to either of the parties, unless it is unavoidable.

The prosecution shall strictly comply with the date fixed for production of evidence.

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.)