

08.02.2024
Sl. No.21
akd
[Rejected]

C. R. M. (DB) 81 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.01.2024 in connection with Gazole Police Station Case No.831 of 2021 dated 02.11.2021 under Section 6 of the POCSO Act.

And

In Re: ***Somen @ Samen Mandal***

... .. Petitioner

Mr. Mazhar Hossain Chowdhury

... .. for the petitioner

Mr. Sandip Chakraborty

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Evidence of the victim is placed on record. Her evidence incriminates the petitioner in the offence of penetrative sexual assault. Victim is a six year old girl. Examination of her relations is awaited. In view of gravity of the offence and stage of the proceeding, we are not inclined to grant bail to the petitioner at this stage.
3. The application for bail is thus rejected.
4. Trial court is directed to conduct the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.
5. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

