

01.02.2024.
31.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 293 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Amdanga P.S. Case No.382 of 2022 dated 26.07.2022 under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act and charge sheet submitted under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Rafikul islam @ Rafik Ali.**

... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. Binay Kr. Panda,
Ms. Rita Datta.

...for the State.

1. Petitioner contends he is in custody for seven months. Hence, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Evidence of the minor victim (PW 1) implicates the petitioner in the offence of penetrative sexual assault. Trial is in progress.
4. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.
5. Accordingly, the prayer for bail of petitioner is rejected.

6. We request the trial court to conduct the trial on a day to day basis and expedite the same.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)