

19.02.2024
Sl. No.57
akd
[Rejected]

C. R. M. (DB) 489 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.02.2024 in connection with Rajapur Police Station Case No.69 of 2023 dated 31.03.2023 under Sections 376AB/506 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Sumon Mondal @ Sobuj Mondal***

... .. Petitioner

Mr. Sabir Ahmed
Mr. Shraman Sarkar

... .. for the petitioner

Ms. Juin Dutta Chakraborty
Ms. Madhumita Paul

... .. for the de-facto complainant

Mrs. Sonali Das

... .. for the State

1. It is submitted on behalf of the petitioner that allegations are false and he has been falsely implicated due to political rivalry. Victim has already been examined. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. Learned Advocate for the de-facto complainant/victim also opposes the prayer for bail.
4. We have considered the materials on record. Victim is a ten year old child. She used to take tuition from the petitioner. Taking advantage of the situation he had raped her on a number of occasions. Out of fear she had kept quiet. In view of the incriminating evidence on record and nature of crime, we are not inclined to grant bail to the petitioner at this stage.
5. The application for bail is thus rejected.
6. Trial court is directed to expedite the trial and conclude the same at an early date.

7. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)