

22.03.2024.
31.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 561 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Gobardanga P.S. Case No.249 of 2021 dated 25.10.2021 under Section 376(3) 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 : **Parimal Halder.**

... Petitioner.

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

...for the Petitioner.

Ms. Zareen N. Khan,
Mr. Arabinda Manna.

...for the State

1. Petitioner is in custody for two years and five months. He submits there is delay in trial. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits report and contends trial is in progress. He assures this Court trial shall be concluded within six months subject to co-operation of the defence and systemic reasons. Report submitted on behalf of the State be kept on record.

3. We have considered the materials on record. A seven year child had been subjected to penetrative sexual assault. Child and mother have supported the prosecution case. Offences, if proved, would attract a minimum sentence of rigorous imprisonment for 20 years. Prosecution assures this

Court trial shall be concluded within six months from the next date fixed for recording evidence subject to co-operation by defence and systemic reasons.

4. Under such circumstances, we are not inclined to grant bail to the petitioner.

5. Accordingly, the prayer for bail of the petitioner is rejected.

6. Trial court is requested to expedite the trial in the light of the assurance given by the prosecution.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)