

05.04.2024
Sl. No.11
akd
[Rejected]

C. R. M. (DB) 764 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.02.2024 in connection with Moyna Police Station Case No.21 of 2021 dated 02.02.2021 under Section 376(3) of the Indian Penal Code read with Sections 4/6 of the POCSO Act.

And

In Re: **Sahadeb Ganthya @ Mithun**

... .. Petitioner

Mr. Kallol Mondal
Mr. Amal Krishna Samanta
Mr. Arun Kumar Das
Mr. Krishan Ray
Mr. Souvik Das

... .. for the petitioner

Mr. Ashok Das
Ms. Hasi Jana

... .. for the victim

Mr. Debasish Roy .. Id. Public Prosecutor
Mr. Arijit Ganguly
Ms. Sreemayi Roy

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than three years. However, due to vacancy in the trial court, trial has not concluded as yet.
2. In view of the aforesaid submission, Registrar (Judicial Services) was directed to submit report with regard to filling up of vacancy.
3. Report is placed on record. From the report it appears that the new incumbent is expected to join the post by the third week of April, 2024.
4. In view of the aforesaid report and as trial is at its fag-end, we are not inclined to grant bail to the petitioner at this stage.
5. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

