

16.04.2024.
20.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 895 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Kolkata Leather Complex P.S. Case No.126 of 2021 dated 02.12.2021 under Sections 376(2)(i)/506 of the Indian Penal Code and Sections 4/6 of the POCSO Act and charge sheet submitted under Sections 376(2)(f)(i)/506 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

In the matter of : **Sekhar Mondal @ Nayan.**
... Petitioner.

Mr. Kunal Ganguly,
Mr. Tirthankar Mukherjee,
Ms. Madhurima Sarkar,
Mr. Ranajit Bera.
...for the Petitioner.

Mr. Soumik Ganguli.
...for the State.

Mr Nazir Ahmed,
Ms. Sanghamitra Mridha.
...for the de-facto complainant.

1. Report on behalf of the State is placed on record.
2. Petitioner contends he is in custody for two years and four months. Vulnerable witness has been examined. Accordingly, he prays for bail.
3. Learned Advocate for the State opposes the bail prayer. He submits victim has corroborated the allegations in the FIR. He submits trial shall be concluded within six months from the next date fixed for recording evidence subject to co-operation of defence and systemic reasons.
4. We have considered the materials on record. Minor victim stated she had been raped by the petitioner. Her

evidence is corroborated by her mother. Prosecution assures to conclude trial within six months from the next date fixed for recording evidence subject to co-operation by defence and systemic delays.

5. Under such circumstances and in view of gravity of offence, we are not inclined to grant bail to the petitioner.

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

7. We direct the trial court to expedite the trial in light of the assurance given by the prosecution.

8. Parties shall co-operate with the trial court in this regard.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)