

09.04.2024
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rejected

C.R.M.(DB) No. 1049 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 250 of 2022 dated 19.06.2022 under Sections 363/364/365/302/201/34 of the Indian Penal Code and Sections 6/17 of the POCSO Act.

And

In Re : Islam Ali @ Md. Islam petitioner

Mr. Sourav Chatterjee

Mr. Sagar Saha

....for the petitioner

Mr. Rudradipta Nandy, learned APP

Mrs. Suchismita Dutta

... for the State

1. Learned Counsel for the petitioner submits he is the father of the principal accused. He renews his bail prayer.

2. Learned Counsel for the State opposes the bail prayer and submits victim was a minor girl. She had a relationship with one Samim. She was called to the house of the petitioner where she was murdered.

3. We have considered the materials on record. Petitioner had entered into a conspiracy with his son and others to murder the victim. It is contended that she was murdered in the house of the petitioner and thereafter her body was disposed of in a gunny bag in the pond. Trial is in progress. Under such circumstances and in view of gravity of the offence we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

5. Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)