

CRM (DB) 1407 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Deganga Police Station** Case No. **617 of 2022** dated **23.09.2022** under Sections **363/366/376DA** of the Indian Penal Code and Section 6 of the POCSO Act.

- A n d -

In the matter of : Ala @ Md. Alauddin Mondal

.... Petitioner.

Mr. Jayanta Narayan Chatterjee,
Mr. Y. Mondal,
Mr. P. Roy,

... For the Petitioner.

Mr. Jaydeep Biswas,
Mr. Saibal Dasgupta,

... For the State.

It is submitted on behalf of the petitioner that he is in custody for a considerable period of time and in the meantime some of the charge sheeted witnesses have already been examined. The attention of this court is drawn to the fact that the victim has been declared hostile by the prosecution and as such there is no necessity of further detention of the accused-petitioner.

Learned Advocate for the State raises vehement objection by submitting that the self-same prayer was made by the petitioner before a Coordinate Bench of this court when the prayer for bail of this accused-petitioner was rejected by an order dated December 20, 2023.

We have considered the submissions made by both the parties and also perused the materials placed before us at the time of hearing.

Considering the gravity of the offence and the possible extent of complicity of the petitioner in the alleged offence, we are not inclined to enlarge the accused-petitioner on bail at this stage.

CRM (DB) 1407 of 2024 is, thus, dismissed.

However, we request the learned Trial Court to expedite the trial as far as possible and bring the same to its logical conclusion as expeditiously as possible and preferably within a period of one year from the next date. No unnecessary adjournments will be sought for by either the petitioner or the State, both of whom will cooperate with the learned Trial Court in expediting the trial.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)