

19.06.2024
Item no. 55.
Court No.28.
AB
(Rejected)

CRM (DB) 1496 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur P. S. Case No.486 of 2023 dated 21.10.23 under Sections 341/377/506 of the Indian Penal Code read with Section 6 of the POCSO Act

And

In the matter of : Samim Zakaria @ Samim Jakaria

.....Petitioner.

Md. Shamimuddinfor the Petitioner.

Mr. Bibhaswan Bhattacharya
Mr. Abhishek Vermafor the State.

The charge is under Section 6 of the Protection of Children from Sexual Offences Act, 2012, read with Sections 341 377/506 IPC.

The petitioner says that he is in custody for eight months. There are 37 witnesses. Witness action has not yet begun. He has been falsely implicated. He has not committed any offence.

We have seen the material in the case diary as produced by learned Advocate for the State. We have seen the statement of the victim boy aged about four and half years recorded under Section 164 Cr.P.C. The boy clearly describes the heinous act of the petitioner.

In view of the incriminating evidence against the petitioner and the gravity of the offence, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The prayer for bail stands rejected.

CRM (DB) 1496 of 2024 is dismissed.

Since the petitioner has been in custody for eight months, we request the learned Trial Court to expedite the trial to the extent possible.

Let this order be communicated by the parties to the learned Trial Court.

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

(Arijit Banerjee, J.)

(Gaurang Kanth, J.)