

CRM (DB) 1596 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Polba Police Station** Case No. **18 of 2023** dated **12.01.2023** under Sections **306/305** of Indian Penal Code and Section 66E of the Information Technology Act and Section 14 of the POCSO Act.

- A n d -

In the matter of : Sk. Mirajuddin @ Sk. Sintu

.... Petitioner.

Mr. Arunava Ganguly,

... For the Petitioner.

Mr. Partha Pratim Das,
Mr. S. Das,

... For the State.

Mr. Shyam Bauldas,

... for the defacto complainant
(in person)

The petitioner says that he is in custody for six months. He is not involved with the alleged offence. The address from where the obscene pictures were uploaded is not his IP address. He should be enlarged on bail.

Learned Advocate for the State while opposing the prayer for bail draws our attention to the material in the case diary. It appears that the petitioner was operating from this State and later went away to Chennai from where he was arrested. There is sufficient *prima facie* incriminating evidence against the petitioner.

Considering the nature of the alleged crime, and also the fact that the charge has been framed and witness action is scheduled to start on July 24, 2024, we are not inclined to allow the petitioner's prayer for bail, at this stage.

CRM (DB) 1596 of 2024 is, thus, dismissed.

However, considering that the petitioner is in custody for six months, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same at an early date.

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

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)