

10.
24-06-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 1591 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ashoknagar Police Station Case No.02 of 2024 dated 01-01-2024 under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act.

- A n d -

In the matter of : Dipak Das

.... Petitioner.

Mr. Sandip Chakraborty,
Mr. Kaustav Das

... For the Petitioner.

Ms. Zareen N. Khan,
Ms. Payel Ghosh

... For the State.

Mr. Sauradeep Dutta

... For the defacto-complainant.

The petitioner is 75 years old. The allegation is that he violated a two and a half/three-year old baby girl.

The petitioner says that he has been framed. He is the landlord of the victim girl's family. There is long standing dispute.

The petitioner's prayer for bail was rejected by a coordinate Bench by an order dated March 19, 2024 passed in CRM (DB) 859 of 2024. There has been no change of circumstances since then. Hence, we are not inclined to entertain this prayer for bail.

The application for bail being CRM (DB) 1591 of 2024 is, thus, **dismissed**.

However, the petitioner is in custody for almost six months. We are told that charge has been framed. August 01 and 02, 2024 have been fixed as dates for recording of evidence. We are told that there are twelve witnesses.

Given that the petitioner is an aged person and has been in custody for about six months, we direct the learned trial Court to make all efforts to expedite the trial so that the same can be brought to an early conclusion and preferably, within a year from the next date fixed for recording of evidence, without granting unnecessary adjournment to either of the parties.

The parties shall communicate this order to the learned trial Court.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)