

CRM (DB) 1706 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Manikchak Police Station** Case No. **790 of 2023** dated **28.09.2023** under Sections **376(n)/365/363** of the Indian Penal Code read with Section 6 of the POCSO.

- A n d -

In the matter of : Rakhal Rajak

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick,

... For the Petitioner.

Mr. Jaydeep Biswas,
Mr. Mainak Gupta,

... For the State.

Mr. Kunal Ganguly,

....for the defacto complainant.

The petitioner says that he is in custody for seven months.

There was a love affair between him and the victim girl. He was 24 years old at the time of the incident. The victim girl was 17 years and 8 months old. The girl eloped with him. The police then tracked them in Haryana. He prays for bail.

While opposing the prayer for bail, learned Advocates for the State and the defacto complainant draw our attention to the material in the case diary including the statement of the victim girl recorded under Section 164 Cr. P. C. She clearly implicates the petitioner. The statement is to the effect that she was drugged and abducted. She was taken to Haryana from where she was recovered after 1 month and 11 days.

In view of the *prima facie* incriminating material in the case diary, we are not inclined to enlarge the petitioner on bail at this stage.

CRM (DB) 1706 of 2024 is, thus, dismissed.

We are told that charge has been framed. July 4, 2024 has been fixed as the date for recording of evidence. We request the learned Trial Court to expedite the trial as much as possible so that the same can be brought to an early conclusion, keeping in mind that the petitioner is in custody for seven months.

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.)