

CRM (DB) 1905 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Gazole Police Station** Case No. **456 of 2023** dated **09.06.2023** under Sections **363/365/342/376(2)(n)/506** of Indian Penal Code and Section 6 of the POCSO Act.

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In the matter of : Ajit Biswas

.... Petitioner.

Mr. Wasim Akram,

... For the Petitioner.

Mr. Ranadeb Sengupta,

Mr. Ivan Roy,

... For the State.

The petitioner says that he has been falsely implicated. There was a love affair between him and the victim girl. They eloped together. This case has been falsely lodged by the victim girl's father when he came to know about the affair. He is in custody for one year and twenty two days. Witness action has not yet begun. He should be enlarged on bail.

Learned Advocate for the State while opposing the prayer for bail, draws to our attention the statement of the victim girl who clearly narrates the alleged incident. Allegedly she was made to drink some water, which had something in it, as a result whereof, the victim girl became dizzy. Thereafter, she was raped many times.

In view of the prima facie incriminating evidence against the petitioner, we are not inclined to entertain his prayer for bail, at this stage.

CRM (DB) 1905 of 2024 is, thus, dismissed.

However, considering the lengthy period of detention of the petitioner, we direct the learned Trial Court to expedite the trial to the fullest extent and conclude the same at an early date and positively within one year from the next date fixed for recording of evidence, without granting unnecessary adjournments to either of the parties and if necessary by fixing frequent schedules for examination.

In the event, the learned Trial Court does not conclude the trial within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail. Parties are directed to communicate this order 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)