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16-08-2024
(ct. no.28)
S. De
(Rejected)

CRM (DB) 1982 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure.

- A n d -

In the matter of : Habibul Sk.

.... Petitioner.

Mr. Anisur Rahman

... For the Petitioner.

Mr. Anand Keshri,
Mr. Debanik Das,

...for the State.

Mr. Jisan Iqbal Hossain,

...for the de facto complainant.

Order dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was rejected on February 6, 2024. He says that he is in custody for about 1 year 5 months. Only after the last order was passed, the charges were framed. Not a single witness out of 24 witnesses named in the charge-sheet, has been examined. On the ground of delay, he should be granted bail.
2. Learned advocate for the State, while opposing the prayer for bail, draws to our attention the statement of the victim girl recorded under Section 164 Cr.P.C. She clearly and vividly narrates the heinous incident.
3. In view of the incriminating material against the petitioner, although he is in custody for quite some time, we are not inclined to consider his prayer for bail favourably.
4. CRM (DB) 1982 of 2024 is dismissed.

5. However, we direct the learned Trial Court to examine the vulnerable witnesses including the victim girl at the earliest and definitely within a month from the date of communication of this order, if necessary by preponing any date that may have already been fixed by the learned Trial Court. Thereafter, the trial should be concluded as early as possible
6. Let this order be communicated by the parties to the learned Trial Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)