

15.07.2024
Item no. 23.
Court No.28.
AB
(Rejected)

CRM (DB) 2039 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Raghunathganj P.S. Case No.954 of 2023 dated 17.11.23 under Sections 363/365/34 of the Indian Penal Code read with Section 4 of the POCSO Act

And

In the matter of : Dipjal Mandal @ Dwipjwal Mandal

.....Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. N. Rahaman,
Mr. Akash Sarkar,
Mr. Tusar Hazrafor the Petitioner.

Mr. Ranadeb Sengupta,
Md. Ejaz Akhterfor the State.

Ms. Trina Mitrafor the Victim Girl.

Affidavit of service filed in Court today, be kept with the records.

The petitioner says that the other accused persons are on bail. He is in custody for more than six months. Charge sheet was filed in January, 2024. Charge is yet to be framed.

We have seen the statement of the victim girl, who was 14 years old at the relevant time. She directly implicates this petitioner. We have also seen the medical examination report. The same prima facie supports the prosecution case.

In view of the aforesaid, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (DB) 2039 of 2024 is dismissed.

However, considering that the petitioner is in custody for more than six months, we direct the learned Trial Court to expedite the trial as much as possible.

The parties shall 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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)