

15.07.2024
Item no. 25.
Court No.28.
AB
(Rejected)

CRM (DB) 2044 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Khardah P.S. Case No.522 of 2023 dated 18.8.23 under Sections 376D/498A/506/34 of the Indian Penal Code read with Sections 4/6/8/21 of the POCSO Act

And

**In the matter of : Kiran Kumar Ray
@ Kiran Kumar Roy & Anr.**

.....Petitioners.

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Souvik Das,
Mr. Anamitra Banerjeefor the Petitioners.

Mr. Partha Pratim Das
Ms. Debjani Sahufor the State.

The petitioners say that they have been falsely implicated. They are in custody for 302 days. Charge sheet was filed in November, 2023. Charge has not been framed as yet.

We have seen the material in the case diary and in particular, the statement of one of the minor victims (11 years old) recorded under Section 164 Cr.P.C. The same directly and clearly implicates the petitioners. The alleged offence as narrated by the said victim girl is heinous and culpable to say the least.

In view of the prima facie incriminating material against the petitioner and the gravity of the alleged offence, we are not inclined to entertain the petitioners' prayer for bail.

The prayer for bail is, accordingly, rejected.

CRM (DB) 2044 of 2024 is dismissed.

We are told that July 16, 2024, has been fixed as the date for consideration of charge. We direct the learned Trial Court to ensure that charge is considered on that date and if charge is framed, then to conclude the trial as soon as possible, without granting any unnecessary adjournment to either of the parties.

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.)