

CRM (DB) 2087 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the BNSS in connection with **Tapan Police Station** Case No. **287 of 2021** dated **03.09.2021** under Section **363** of the Indian Penal Code and Section 6 of the POCSO Act.

- A n d -

In the matter of : Bipul Roy

.... Petitioner.

Mr. Kaushik Choudhury,
Ms. B. Khatun,

... For the Petitioner.

Mr. Joydeep Biswas,
Mr. S. Nandy,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner says that he has been falsely implicated. He has no role to play in the alleged penetrative assault of the minor girl. He is in custody for one year and six months. Only 5 out of 22 charge sheet named witnesses have been examined. He prays for bail.
2. Opposing the prayer for bail, learned State Advocate draws our attention to the deposition of the victim girl recorded before the learned Trial Court. The girl clearly describes the heinous incident.
3. In view of such *prima facie* incriminating evidence against the petitioner, we are not inclined to enlarge him on bail at this stage.
4. CRM (DB) 2087 of 2024 is, thus, dismissed.
5. However, considering the petitioner's long detention in judicial custody, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an

early date and definitely within a year from the next date fixed for recording evidence.

6. 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.)