

31.
22-07-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 2176 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with New Town Police Station Case No.156 of 2022 dated 29-06-2022 under Sections 4/5/16/17 of the POCSO Act along with Sections 3/4/5/6/9 of Immoral Traffic Prevention Act read with Sections 366A/370/370A/372/109/120B of the Indian Penal Code.

- A n d -

In the matter of : Latika Gain Mukherjee

.... Petitioner.

Mr. Arka Ranjan Bhattacharya

... For the Petitioner.

Mr. Suman De,
Mr. Nirupam Dhali

... For the State.

Ms. Jhuma Sen,
Ms. Sneha Bera,
Mr. Dinesh Vishwakarma,
Ms. Arpita De

... For the victim girl.

Dictated by Partha Sarathi Sen, J.

It is submitted on behalf of the petitioner that considering the period of detention and also considering the fact that the present accused petitioner is nowhere involved in the alleged crime, the instant application for bail may be considered favourably.

Learned advocates for the State and the victim girl oppose the prayer for bail.

On perusal of the entire material in the Case Diary, especially the deposition of the victim girl, we find direct involvement of the present accused petitioner in the alleged crime. Considering such circumstances, we are not inclined to enlarge the petitioner on bail.

The application for bail being CRM (DB) 2176 of 2024 is, thus, **dismissed**.

However, considering the long pendency of the trial, we request the learned trial Court to conclude the trial positively within a year from the date of communication of this order.

Prosecution is hereby directed to ensure the appearance of the remaining charge sheet named witnesses positively on the next date fixed, failing which, the learned trial Court is directed to take appropriate coercive action for ensuring the presence of the charge sheet named witnesses.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)