

22.08.2024
Item no. 23.
Court No.28.
AB
(Rejected)

CRM (DB) 2296 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Nandigram P.S. Case No.678 of 2023 dated 8.5.2023 under Sections 376AB of the Indian Penal Code read with Section 6 of the POCSO Act

And

In the matter of : Basudeb Chakraborty
@ Bappa Chakraborty @ Basudeb @ Bappa @ Basudev

.....Petitioner.

Mr. Navanil De,
Mr. Subhrajit Deyfor the Petitioner.

Ms. Baishali Basu
Mr. MFA Beggfor the State.

Dictated by Arijit Banerjee, J.

1. Service report filed on behalf of the State, be kept with the records.
2. The petitioner says that he has been falsely implicated. He is in custody for one year three months. He should be enlarged on bail.
3. Learned Advocate for the State, while opposing the prayer for bail, points out that only two prosecution witnesses i.e. the Magistrate and the Investigating Officer, remain to be examined. August 30, 2024, has been fixed as the next date for recording evidence.
4. We have seen the depositions of the victim girl. She vividly describes the heinous incident. In view of the

serious nature of the alleged crime and in view of the fact that the trial is likely to conclude at an early date, we are not inclined to allow this application for bail.

5. The prayer for bail is, accordingly, rejected.
6. CRM (DB) 2296 of 2024 is dismissed.
7. However, since the petitioner is in custody for quite some time, we direct the learned Trial Court to conclude the trial by delivery of judgment at the earliest and definitely within two months from the next date fixed for recording evidence.
8. The parties shall communicate this order to the learned Trial Court.
9. 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.)