

12.08.2024.
55.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2540 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Uluberia P.S. Case No.04 of 2022 dated 04.01.2022 under Sections 376 AB/34 of the Indian Penal Code and Section 6 of the POCSO Act and charge sheet submitted under Sections 376(2)(f)(n) of the Indian Penal Code and Section 6 of the POCSO Act and adding Section 17 of the POCSO Act.

In the matter of : **xxx**

... Petitioner.

Mr. Anindya Ghosh,
Mr. Pronojit Roy.

...for the Petitioner.

Mr. Bitasok Banerjee,
Mr. Soumyadip Saha.

...for the State.

1. Petitioner submits there is a matrimonial dispute between him and the biological mother of the minor victim. Out of grudge, he has been falsely implicated. Minor has been examined. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer.

3. We have considered the materials on record. We have also examined the evidence of the minor. She categorically stated that she was raped by her father i.e. the petitioner. Trial is in progress.

4. Under such circumstances, we are not inclined to grant bail to the petitioner.

5. Accordingly, the prayer for bail of the petitioner is rejected.

6. Trial Court is requested to expedite the trial and conclude the same at an early date without granting unnecessary adjournments to either of the parties

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)