

53. 12.08.2024
Court
No.6 (Tanmoy)

Rejected

CRM (DB) 2538 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Tehatta Police Station Case No. 976/2022, dated 31.10.2022.
And

In the matter of: - **Milan Mallick**

...petitioner.

Mr. Sandip Chakraborty
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Kaustav Das

...for the petitioner.

Mr. Debabrata Chatterjee
Ms. Pushpita Saha

...for the State.

1. Learned lawyer for the petitioner contends petitioner is in custody for one year and seven months. He submits allegation of forcible rape is not supported by medical evidence. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the evidence of the victim. She has stated that she was raped by the petitioner. She is a minor. Trial is in progress.
4. Under such circumstances, we are not inclined to grant bail to the petitioner.
5. Accordingly, prayer for bail is rejected.
6. We request the Trial Court to conclude the trial at an early date preferably within eight months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)