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03-09-2024
(ct. no.28)
S. De
(Rejected)

CRM (DB) 2557 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure.

- A n d -

In the matter of : Rabi Das.

.... Petitioner.

Mr. Nilanjan Adhikary,

... For the Petitioner.

Ms. Sonali Das,

Mr. Asif Dewan,

... For the State.

Mr. Afreen Begum,

...for the de facto complainant.

Order dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated because of a property dispute between him and the family of the complainant. Charge is in custody for more than 250 days. Charge is yet to be framed. He prays for bail.
2. Opposing the prayer, learned advocates for the State and the de facto complainant being the victim girl's mother, draw our attention to the statements of witnesses recorded under Section 164 Cr.P.C.
3. We have seen the statement of the victim girl as well as her mother. They clearly implicate the petitioner.
4. In view of the prima facie incriminating material against the petitioner, we are not inclined to allow his prayer for bail, at this stage.
5. Accordingly, CRM (DB) 2557 of 2024 is dismissed.

6. However, considering that the petitioner is in custody for over 8 months, we direct the learned Trial Court to consider the issue of framing of charge positively on the next date fixed for the same and if charge is framed then to expedite the trial and conclude the same at an early date and preferably within a year from the date of framing of charge.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)