

32.
03-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 2576 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Malda Police Station Case No.34 of 2024 dated 18-01-2024 under Sections 450/376(2)(1)/506 of the Indian Penal Code.

- A n d -

In the matter of : Dhananjoy @ Deba Karmakar
.... Petitioner.

Mr. Pulkesh Bajpayee
... For the Petitioner.

Mr. Benoy Kumar Panda,
Mr. Ronit Mukherjee
... For the State.

Dictated by Arijit Banerjee, J.

Service Report filed by the State be kept with the records. Nobody appears for the defacto complainant/victim.

The petitioner renews his prayer for bail which was rejected on merits by a coordinate Bench on April 30, 2024 in CRM (DB) 1349 of 2024. Since then, there has been no change of circumstance. As such, we are not inclined to entertain the present application for bail.

In any event, we find that the victim is a special child and she was allegedly violated by the petitioner. The medical report also says that sexual violence cannot be ruled out.

However, keeping in view that the petitioner has been in custody for 220 days, we direct the learned trial Court to consider the issue of framing charge on the day fixed for the same, i.e., September 09, 2024 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.

The application for bail being CRM (DB) 2576 of 2024 is, thus, **dismissed**.

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.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)