

16.
25-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 2685 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sutahata Police Station Case No.360 of 2022 dated 23-10-2022 under Sections 363, 365 of the Indian Penal Code adding Section 376 of the Indian Penal Code and Section 6 of the Protection Of Children from Sexual Offences Act and Section 9 of the Prohibition of Child Marriage Act.

- A n d -

In the matter of : Sanjit Maity

.... Petitioner.

Mr. Chinmay Adhikary

... For the Petitioner.

Ms. Faria Hossain, learned APP,
Mr. M. F. A. Begg

... For the State.

Dictated by Arijit Banerjee, J.

Service report filed by the State be kept with the records. In spite of service, nobody appears on behalf of the defacto complainant.

The petitioner says that he has been falsely implicated. There was an amorous relationship between the petitioner and the victim girl. However, since the parents of the victim girl did not approve of such relationship, a false complaint has been filed. The vulnerable witnesses have been examined. He is in custody for about 1 year 9 months. He prays for bail.

Opposing the prayer for bail, learned State advocate draws our attention to the deposition of the victim girl. She does not talk of any love relationship. She squarely implicates the petitioner and the other accused persons. She says that she was kidnapped and taken to a temple where the petitioner forcibly married her. Then she was taken to the petitioner's house and the petitioner had physical relationship with her.

In view of the material and evidence against the petitioner and the gravity of the offence, we are not inclined to allow the petitioner's prayer for bail.

The application for bail being CRM (DB) 2685 of 2024 is, thus, **dismissed**.

We are told that 3 out of 17 witnesses have been examined so far. Considering the lengthy detention of the petitioner, we direct the learned trial Court to expedite the trial to the fullest extent possible and conclude the same at an early date and positively within one year from the next date fixed for recording of evidence.

Parties shall communicate this order to the learned trial Court forthwith.

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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)