

18.
Court
No.28

04.10.2024
(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2864 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Rishra P.S. Case No. 58/2023 dated 23.4.2023.

And
In the matter of: - **Hasrat Ali @ Hasrath Ali**

Mr. Md. Bani Israil

Mr. Saibal Bapuli, Ld. APP
Ms. Puja Goswami

...petitioner.

...for the petitioner.

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was last rejected on August 11, 2023, in CRM (DB) 2986 of 2023. He says that he has been falsely implicated. He is in custody for one year and five months. The trial is not progressing at the desired pace.
2. Opposing the prayer for bail, learned Additional Public Prosecutor draws our attention to the depositions of the witnesses already examined before the learned Trial Court, including the deposition of the victim girl. She squarely implicated the petitioner.
3. We have also seen the FSL report as regards the cold drink that was seized from the place of occurrence. A copy of the FSL report be kept with the records. The allegation was that the petitioner mixed some stupefying substance in the cold

drink and made the victim girl drink the same. After drinking that cold drink the victim girl became semiconscious and taking advantage of the same the petitioner ravished her. The FSL report is to the effect that the cold drink was laced with ethyl alcohol.

4. In view of the aforesaid incriminating material against the petitioner, we are not inclined to enlarge him on bail, at this stage. Hence the prayer for bail is rejected.
5. The application being CRM (DB) 2864 of 2024 is accordingly dismissed.
6. We understand that five out of 25 charge-sheet named witnesses have been examined. Since the petitioner is in judicial custody for quite some time, we direct the learned Trial Court to spare no efforts to expedite the trial and conclude the same on an early date but positively within a year from the next date fixed for recording evidence.
7. The parties will immediately communicate this order to the learned Trial Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)