

CRM (DB) 2901 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

- A n d -

In the matter of : Jalal Molla.

.... Petitioner.

Mr. Deepak Kumar Prahladka,

... For the Petitioner.

Mr. Kunal Ganguly,

... for the State.

Order dictated by Apurba Sinha Ray, J.

1. Learned counsel for the petitioner submits that the petitioner is in custody for about 10 months. There is nothing in the medical report which goes against the present petitioner. The petitioner has been falsely implicated in this case due to some grudge which arose out of financial transaction between the parties. However, considering the period of detention and the age of the petitioner, he may be enlarged on bail on any condition.
2. Learned counsel for the State opposes the prayer for bail. According to him, the petitioner is aged about 64 years whereas the victim was 12 years and 4 months. Further, the medical report supports the prosecution case as the trial is going to commence very soon.
3. We have considered the material-on-record and the case diary. The medical report is supportive of the prosecution case. Considering the age of the victim as well as the seriousness of

the offences alleged to have been committed upon her, we are not inclined to allow the prayer's prayer for bail at this stage.

4. Accordingly, CRM (DB) 2901 is dismissed.
5. However, the learned Trial Court is requested to expedite the trial of the case as much as possible and conclude the same within 1 year from the next date fixed for hearing.
6. The petitioner says that he is suffering from various ailments. The Superintendent of the Presidency Correctional Home is directed to ensure that the petitioner receives requisite medical attention.
7. Let this order be communicated by the parties to the learned Trial Court.
8. Learned Registrar General is requested to communicate this order to the learned Trial Court as well as the Superintendent, Presidency Correctional Home.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)