

CRM (DB) 3049 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of BNSS in connection with **Ashoknagar Police Station** Case No. **857 of 2023** dated **13.12.2023** under Sections **376(2)(n)/376(3)** of the Indian Penal Code and Section 6 of the POCSO Act.

- A n d -

In the matter of : Abdur Rahaman

.... Petitioner.

Mr. Krishna Roy,
Mr. Manojit Debnath,

... For the Petitioner.

Mr. Joydeep Biswas,
Ms. Puja Goswami,

... For the State.

Mr. Partha Pratim Das,
Mr. M. Chakraborti,

....for the defacto complainant.

1. Heard learned lawyers for both the parties.
2. Petitioner is in custody for 275 days. He submits that the allegation of rape is improbable. Vulnerable witness has been examined. He prays for bail.
3. Learned Advocate for the State opposes the bail prayer.
4. Learned Advocate for the victim submits petitioner is her relative. She had been sexually exploited by him on a number of occasions.
5. We have considered the materials on record. The petitioner is a close relative of the victim girl. Her deposition shows she had been sexually exploited on a number of occasions.
6. In view of the aforesaid incriminating materials and gravity of offence, we are not inclined to enlarge the petitioner on bail.

7. Learned Trial Court is directed to expedite the trial and conclude the same at an early date.

8. CRM (DB) 3049 of 2024 is, thus, dismissed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)