

14.11.2024
Ct. No. 28
SL No. 73
SB

CRM (DB) 3093 of 2024

In Re: - An application under Section 483 of the B.N.S.S. corresponding to Section 439 of Cr.P.C. in connection with Malda P.S. Case No. 352 of 2021 dated 13.7.2021 under Section 6 of POCSO Act and Section 376 AB of the Indian Penal Code.

And

In the matter of: Manoj Saha

Mr. Kazi Mokhlasur Rahman

... for the petitioner

Mr. Arindam Sen

Mr. Sufi Kamal

...for the State

1. Heard learned lawyers for both parties.
2. Petitioner is in custody for about three years.
3. We have considered the materials on record. Statement of the minor victim implicates the petitioner in the offence of penetrative sexual assault. She has supported the prosecution case.
4. In view of the aforesaid case and the incriminating materials and gravity of the offence, we are not inclined to grant bail to the petitioner.
5. We request Trial Court to expedite the trial of the case at an early date following the mandate under Section 35(2) of the POCSO Act.
6. Accordingly, the application for bail, is thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)