

19.11.2024
Item no. 57.
Court No.29.
AB
(Rejected)

CRM (DB) 3193 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Duttapukur P. S. Case No.810 of 2023 Dated 8.8.2023 under Sections 376(2)(i) of the Indian Penal Code read with Section 6 of the POCSO Act

And

In the matter of : Avijit Pal @ Avijit PaulPetitioner.

Mr. Diptanshu Basu,
Mr. Sayan Dasfor the Petitioner.

Ms. Amita Gour,
Ms. Sanjida Sultanafor the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner has submitted that the petitioner is in custody for 469 days. Investigation is complete and there is no need for further custodial detention of the petitioner.
2. Learned State Advocate opposes the prayer for bail. According to her, there are sufficient incriminating materials, which show that the victim was aged about 14 years at the time of the incident and she became pregnant due to such unwanted sexual intercourse committed by the petitioner. The victim gave birth to a male child. Accordingly, she prays for rejection of the prayer for bail.

3. We have considered the materials on record. We find that there are sufficient incriminating materials against the present petitioner. The victim has not yet been examined before the learned Trial Court.
4. In view of the aforesaid, we are not inclined to allow the petitioner's prayer for bail, at this stage.
5. The prayer for bail is rejected.
6. CRM (DB) 3193 of 2024 is dismissed.
7. Learned Trial Court is requested to expedite the trial of the case to the extent possible.
8. The parties shall communicate this order to the learned Trial Court.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)