

17.01.2024
tkm/ct 28
sl no. 26

C.R.M. (DB) 4561 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Taherpur PS case no. 3 of 2020 dated 3.1.2020 under sections 376AB/506(2) IPC and sections 6/17 of the POCSO Act

And

In Re : Raju Sarkar

....petitioner

Mr. S Bhattacharya

..... for the petitioner

Ms. Faria Hossain

Mr. Subrato Roy

..... for the State

1. Petitioner is in custody for more than four years. He submits there is slow progress in trial. He prays for bail.

2. Learned lawyer for the State submits report.

3. We have considered the on record. From the report it appears co-accused Sourav Majumder had absconded and warrant of arrest was issued. Thereafter he was re-arrested and one witness has been examined. Subsequently co-accused was arrested in another case which caused the present case to be adjourned. These circumstances show that defence has copiously contributed to the delay.

4. Under such circumstances we are not inclined to grant bail to the petitioner and his prayer for bail is rejected.

5. Trial court is requested to examine the victim at the earliest preferably within three months from the next date fixed for recording evidence and conclude the trial at an early date without granting unnecessary adjournments to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)