

15.01.2024
tkm/ct 28
sl no. 43

C.R.M. (DB) 4621 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bidhannagar East PS case no. 5 of 2020 dated 15.1..2020 under sections 376(2)(i) IPC and section 6/12 of the POCSO Act

And

In Re : Samir Daspetitioner

Mr. S Bhattacharyya
Mr. S R Sarkar
Ms. Bidisha Chakraborty
..... for the petitioner

Mr. Binay Panda
Mr. M F ABegg
..... for the State

1. Petitioner is in custody for four years. He submits there is delay in trial. He prays for bail.

2. Learned lawyer for the State opposes the bail prayer and submits report.

3. We have considered the materials on record. Allegations involve rape of a minor. Report shows that last prosecution witness is being examined. In view of the matured stage of the proceeding we are not inclined to grant bail to the petitioner at this stage.

4. Accordingly, prayer for bail is rejected.

5. Trial court is requested to conclude the trial within six months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)