

22.01.2024
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rejected

C.R.M.(DB) No. 4822 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhabanipur Police Station Case No. 327 of 2021 dated 11.12.2021 under Sections 376AB/506 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

And

In Re : Manas Maji Petitioner

Mr. Chinmay Adhikary
.... for the petitioner

Mr. Ranadeb Sengupta
.... for the State

Ms. Trina Mitra
.... for the victim

1. Learned Counsel for the petitioner submits he is in custody for more than two years. It is also submitted he has been falsely implicated in the instant case. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. Learned Counsel for the victim submits she is six year old girl.

4. We have considered the materials on record. There are evidence implicating the petitioner in the crime. Trial has substantially progressed. Only two prosecution witnesses are yet to be examined. Under such circumstances and in view of gravity of the offence we are not inclined to grant bail to the petitioner.

5. The application for bail is, thus, rejected.

6. We direct the trial court to conduct the trial with utmost expedition and conclude the same at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)