

Court No. 1

29.04.2024

(JCB 11)

(S. Banerjee)

Calcutta High Court

In the Circuit Bench at Jalpaiguri

Appellate Side

CRM (DB) 134 of 2024

^c
In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalpaiguri Police Station Case No. 904 of 2022 dated 16.08.2022 under Section 365/506 of the Indian Penal Code and read with Section 4 of the Prevention of Child from Sexual Offences Act.

And

In the matter of: Rahul Kumar Sharma

...petitioner

Mr. Sudip Guha
Mr. Sandip Guha Roy
Mr. Ananda Paul

... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Sagnik Sankar Sikdar

... for the State

1. Heard.
2. Prayer for bail has been opposed on behalf of the State.
3. Learned advocate for the petitioner canvassed in course of his argument that there is no substantive progress in the trial and the present accused-petitioner is languishing in jail custody for no fault of his own.
4. We have perused the entire materials in the case diary as well as the certified copy of the deposition of PW-1

being the victim girl. There are direct allegations as against the present accused-petitioner.

5. Considering the seriousness of the crime, we are not inclined to exercise our discretion under Section 439 Cr.P.C. in favour of the petitioner.
6. Accordingly, the prayer for bail is rejected.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)