

Circuit Bench of Calcutta High Court At Jalpaiguri
CRM (DB) 720 of 2023

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Ghoksadanga Police Station** Case No. **383 of 2022** dated **11.10.2022** under Sections **363/365** of the Indian Penal Code and Section 6 of the POCSO Act.

- A n d -

In the matter of : Ashidul Hossain

.... Petitioner.

Mr. Anirban Banerjee,

... For the Petitioner.

Mr. Nilay Chakraborty,
Mr. Sagnik Sankar Sikdar,

... For the State.

Affidavit of service filed in court today be kept with the records.

Heard Mr. Banerjee, learned Counsel for the petitioner and Mr. Chakraborty, learned Senior Counsel for the State.

The present petition is the fourth petition for bail under Section 439 Cr. P.C. filed by the petitioner, in connection with Ghoksadanga Police Station Case No. 383 of 2022 dated 11.10.2022 under Sections 363/365 of the Indian Penal Code read with Section 6 of the POCSO Act. The earlier bail petition being CRM (DB) 411 of 2022 was dismissed for non prosecution on 14.07.2023, the second bail petition being CRM (DB) 515 of 2023 was dismissed on 06.09.2023 and the third bail petition being CRM (DB) 618 of 2023 was dismissed on 27.09.2023, after noticing the relevant facts including the statement of the victim girl recorded

under Section 164 of the Cr. P. C., the medical report and the gravity of the offence, its ramification and extent of complicity of the petitioner in the alleged offence. No fresh material has been brought on record by the petitioner to make out a case for grant of bail.

In view of the aforesaid, we are not inclined to grant bail to the petitioner. Consequently, the bail prayer of the petitioner is rejected.

CRM (DB) 720 of 2023 is, accordingly, dismissed.

The direction for expediting the trial as given in the order dated 27.09.2023 in CRM (DB) 618 of 2023 is reiterated.

Urgent certified copy of this order, if applied for, be supplied to the learned Counsel for the respective parties.

(Surya Prakash Kesarwani, J.)

(Rai Chattopadhyay, J.)