

25.02.2025
Item no. 304.
Court No.29.
AB
(Rejected)

CRM (DB) 337 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gobordanga Police Station Case No.180 of 2022 Dated 25.06.2022 under Section 363/365/376(2)(n) of the Indian Penal Code read with Section 6 of the POCSO Act

And

In the matter of : Vijay Navnath KamblePetitioner.

Mr. Debasish Kar,
Mr. A. K. Bhadrafor the Petitioner.

Mr. Ranabir Roy Choudhury
Ms. Mamata Janafor the State.

Mr. Soumajit Chatterjee.....for the Defacto complainant.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner has submitted that the petitioner is in custody for one year and eight months. Investigation is complete and the depositions of the victim girl and her mother have been recorded by the learned Trial Court. In their depositions, it is found that the victim girl left her home out of her own volition and moneys have been transferred to the account of the mother of the victim from the side of the present petitioner. Therefore, the present petitioner has been falsely implicated in this case and as the vulnerable witnesses have already been examined, the petitioner may be enlarged on bail on any condition.

2. Learned Counsel for the defacto complainant has raised strong objection. According to him, the victim was lured by the present petitioner for providing a job in Pune and after taking her there, she was ravished for 11 months. However, the victim was recovered from the place of the petitioner.
3. Learned Counsel for the State has also submitted that there are sufficient incriminating materials against this petitioner showing that the present petitioner lured the victim girl for providing her a job and subsequently, she was taken to Pune where she was ravished. Two prosecution witnesses have already been examined. The trial will be concluded within six months.
4. We have considered the materials on record. There are sufficient incriminating materials against this petitioner. We have also considered the age of the victim. Considering all the aspects of the matter, we are not inclined to enlarge the petitioner on bail, at this stage.
5. The prayer for bail is rejected.
6. CRM (DB) 337 of 2025 is dismissed.
7. However, considering the period of detention of the petitioner, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same as on early date, without granting unnecessary adjournment to either of the parties, and if necessary, by fixing frequent schedules for examination of witnesses.

8. The parties shall communicate this order to the learned Trial Court.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)