

02.02.2024
Sl. No.42
akd
[Rejected]

C. R. M. (DB) 322 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.01.2024 in connection with Barasat Police Station Case No.510 of 2020 dated 10.10.2020 under Section 376DA of the Indian Penal Code and Section 6 of the POCSO Act and subsequently charge sheet submitted under Sections 376(2)(f)(3)/109 of the Indian Penal Code and Sections 6/17 of the POCSO Act.

And

In Re: ***Bipul Biswas @ Bipul Chandra Biswas***
... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha
... .. for the petitioner

Mr. Sudip Ghosh
Mrs. Ratna Ghosh
... .. for the State

1. It is submitted on behalf of the petitioner that trial has not concluded.
Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits examination of the victim is in progress.
3. We have considered the materials on record. Allegations involve penetrative sexual assault on a minor. Bail prayer of the petitioner was rejected earlier on merits. Examination of the victim is in progress. In view of the nature of offence and as examination of the vulnerable witness is not complete, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

