

25.04.2025
Item no.31
Court No.39
ss
(Dismissed)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M.(DB) 573 of 2025

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Domkal Police Station Case No.135 of 2022 dated 02.03.2022 under Section 376AB of Indian Penal Code, 1860 and Section 6 of the Protection of Child from Sexual Offences Act, 2012.

And

In Re : Abdur Rajjak Mondal @ Abdul Rajjak Mondal @
Abdul Razzak Mondal @ Raja
.... Petitioner

Ms. Arushi Rathore

....for the petitioner

Ms. Sonali Das

Mr. Asraf Mondal

..... for the State

Ms. Rituparna Ghosh

... for the *de facto* complainant

Learned Advocate for the petitioner submits that the petitioner is in custody for last two years and one month and the trial has not progressed considerably. The petitioner has been falsely implicated in this case out of previous animosity. She seeks for enlargement of the petitioner on bail.

Opposing such prayer, learned Advocate for the State submits that the victim has stated of the overt act of the petitioner before the Magistrate as well as in her deposition in Court. She seeks for dismissal of the bail application.

Learned Advocate for the *de facto* complainant also opposes such prayer for bail.

Perused the case diary and materials on record.

The victim at the time of incidence was 6 years old child. The victim in her statement as well as in her deposition in Court made serious allegations against the petitioner of his overt act. Considering the above materials and the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

Accordingly, the bail prayer is rejected.

Learned trial court is directed to expedite and conclude the trial at an early date without granting any unnecessary adjournment to either of the parties.

The application for bail being **CRM (DB) 573 of 2025** stands dismissed.

(Bivas Pattanayak, J.)