

11.04.2025
Item No.27.
Daily List
Court No.39
Mithun

CRM (DB) 620 of 2025

In re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gazole Police Station Case No.456/2023 dated 09.06.2023 under Sections 363/365/342/376(2)(n)/506 of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of : Ajit Biswas

... Petitioner

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... .. for the petitioner

Ms. Shaila Afrin,
Mr. Arup Sarkar

... ...For the State

Learned Advocate for the petitioner submits that there was a love affair between the petitioner and the victim. The petitioner has been falsely implicated in this case. He is in custody for more than 1 year 9 months. Out of 14 witnesses, only one witness has been examined partly. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State while opposing the prayer for bail submits that there are serious allegations against the petitioner of his involvement in the alleged offence. The victim was made to drink some water and when she became dizzy, she was raped. The statement of the victim discloses of such sexual assault which has also been stated by the her in Court during her examination. She seeks for dismissal of the application.

Perused the Case Diary and the materials placed.

It is found that the victim has stated of such sexual assault by the petitioner in her statement as well as in her deposition in Court.

By order dated 15th July, 2024 passed in **CRM(DB) 1905 of 2024**, the bail prayer was dismissed with a direction upon the Trial Court to expedite the trial to the fullest extent and conclude the same at an early date and positively within one year from the next date fixed for recording of evidence, without granting unnecessary adjournments to either of the parties and if necessary by fixing frequent schedules for examination. It is found that such period of one year has not yet elapsed. Considering the above and bearing in mind the gravity of the offence, I am not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail being **CRM(DB) 620 of 2025** stands dismissed.

Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)