

25.03.2025
Item no.39.
Court No.29.
S. De
(Rejected)

CRM (DB) No. 677 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : XXXX.

.....Petitioner.

Mr. Deepak Prahladka,
Ms. Reshmi Khatun,for the Petitioner.

Mr. Sanjay Bardhan,
Mr. Samarjit Balial,for the State.

Dictated by Arijit Banerjee, J.

1. Service report filed by the State, be kept with the records. In spite of service, nobody appears for the de facto complainant/victim.
2. The Status report filed by the State be also kept with the records.
3. From the Status report we find that the prosecution has already examined 2 witnesses. It proposes to examine 4 more witnesses. The Status report says that the trial will be completed within more or less 3 months.
4. We find from the deposition of the victim girl recorded before the learned Trial Judge that she squarely and clearly implicates the petitioner of having repeatedly committed rape on her. What is alarming and shocking is that the petitioner is the biological father of the victim girl who was 10 years of age when she was repeatedly ravished.

5. In view of the grievous nature of the charge and, prima facie, incriminating evidence against the petitioner and also noting that the State promises to complete the trial within more or less 3 months from the next date fixed for recording of evidence, we are not inclined to entertain the petitioner's prayer for bail, in spite of his period of detention in judicial custody.
6. CRM (DB) 677 of 2025 is dismissed.
7. However, if the trial is not concluded within the time period indicated in the Status report filed by the State, the petitioner may renew his prayer for bail.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)