

25.04.2025
Item no.34
Court No.39
ss
(Dismissed)

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

C.R.M.(DB) 843 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 Gangarampur Police Station Case No.135 of 2022 dated 11.03.2022 under Sections 363/365/34 of Indian Penal Code and under Sections 6/17 of the Protection of Child from Sexual Offences Act.

And

In Re : XXX

.... Petitioner

Mr. Uday Sankar Chattopadhyay
Ms. Trisha Rakshit
Ms. Rajashree Tah
Ms. Aishwarya Datta
Ms. Sadia Parveen

....for the petitioner

Mr. Saryati Datta
Mr. Rahul Ganguly

..... for the State

Service report along with status report filed on behalf of the State is taken on record.

Learned Advocate for the petitioner submits that the petitioner is in custody for three years and one month without there being progress in trial. He seeks for enlargement of the petitioner on bail.

Opposing such prayer, learned Advocate for the State submits that as per the statement of the victim as well as her deposition in Court there are serious allegations against the petitioner. Furthermore, out of 12 prosecution witnesses 7 witnesses have already been examined and prosecution intends

to examine another three witnesses, which is scheduled on 16th May, 2025. The trial is on the verge of competition. He seeks for dismissal of the bail application.

Perused the case diary and materials on record.

It is found from the statement of victim as well as her deposition in Court that there are serious allegations against the petitioner of forcible sexual intercourse upon the victim. 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.

The status report shows that 7 out of 12 witnesses have been examined and 16th May, 2025 has been fixed for examination of three witnesses.

Accordingly, 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) 843 of 2025** stands dismissed.

(Bivas Pattanayak, J.)