

07.07.2025
Item No.16.
Monthly List
Court No.42
Mithun
(Rejected)

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

CRM (M) 748 of 2025

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973), in connection with Gazole Police Station Case No.458/2020 dated 09.10.2020 under Section 376 of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of : XXXX

... .. Petitioner (in Jail)

Mr. Tanmoy Khan,
Mr. Pralay Hazra

... .. For the Petitioner

Mr. Pravas Bhattacharya,
Ms. Jonaki Saha

... ...For the State

Affidavit-of-service filed on behalf of the petitioner is taken on record.

Service report filed by the State is taken on record.

Petitioner renews this prayer for bail.

Learned Advocate for the petitioner submits that out of family disputes, the petitioner has been falsely implicated in this case. The petitioner is in custody for 5 years. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposing such prayer submits that the victim aged 7 years implicates this petitioner who happens to be her father of such penetrative sexual assault. Previously, the bail petition of the petitioner was rejected in

CRM(DB) 4210 of 2024. He seeks for dismissal of the bail application.

Perused the case diary and materials on record.

The victim was aged 7 years at the time of incident. The statement of the victim implicates the petitioner of continuous penetrative sexual assault. In light of the above materials and the nature and gravity of the offence, I am not inclined to grant bail.

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

However, the Trial Court is directed to expedite the trial to the fullest extent and conclude the same at an early date without granting any unnecessary adjournment.

Prosecution is directed to produce witnesses before the Trial Court on the schedule dates.

Parties are directed to cooperate in the trial before the Trial Court.

Accordingly, the application being **CRM(M) 748 of 2025** stands dismissed.

(Bivas Pattanayak, J.)