

34.
20-01-2025
(ct. no.29)
debajyoti
(rejected)

CRM (DB) 4006 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sankrail Police Station Case No.425 of 2023 dated 03-06-2023 under Section 4 of the Protection of Children from Sexual Offences Act.

- A n d -

In the matter of : Md. Aktar @ Kalu

.... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Md. Tanweer Alam,
Mr. Akash Sarkar

... For the Petitioner.

Mr. Binoy Kumar Panda,
Mr. Sourat Nandy

... For the State.

Dictated by Arijit Banerjee, J.

1. Service report filed on behalf of the State is taken on record. In spite of service, none appears on behalf of the defacto complainant/victim.

2. The petitioner renews his prayer for bail which was earlier rejected on merits on June 13, 2024. The petitioner says that he is in custody for 1 year 7 months. There is very slow progress in the trial.

3. The victim girl has been examined. She squarely implicates the petitioner. We are told by learned State advocate that out of eight charge sheet named witnesses, seven witnesses are proposed to be examined by the prosecution. Two witnesses have already been examined. The State says that all efforts will be made to bring the trial to

an early conclusion. Let the status report filed by the state be kept with the records.

4. There is sufficient incriminating material against the petitioner, at least *prima facie*. It also cannot be said that there has been no progress at all in the trial. The charge is under Section 4 of the POCSO Act. If the charge is proved, the petitioner will have to undergo imprisonment for a minimum of 10 years which may extend to life term.

5. In view of the aforesaid, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

6. The application for bail is, thus, **dismissed**.

7. However, in view of the period of detention of the petitioner, we direct the learned trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)