

01.05.2025
Item no.1
Court No.39
srm
(Rejected)

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

C.R.M.(DB) 4295 of 2024

In Re:- An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 439 of the Criminal Procedure Code, 1973 in connection with English Bazar Police Station Case No.667/2022 dated 30.04.2022 Section 10 of the Protection of Children from Sexual Offences Act, 2012 and charge-sheet being no.962 of 2022 dated 27.6.2022 submitted under Section 6 of the POCSO Act, pending before Learned Judge, Special Court, ADJ 2nd Court, Malda;

And

In Re : Raju Das

.... Petitioner

Ms. Benajir Hasna,
Ms. Puja Goswami,
Mr. Aliul Islam,
Mr. Sadid Haider

...for the Petitioner.

Ms. Minoti Gomes,
Mr. Sharequl Haque

... for the State.

Status report filed by the State is taken on record.

Learned Advocate for the petitioner submits that petitioner is languishing in custody for last three years and only four out of twelve witnesses have been examined. She seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposes such prayer for bail and submits that the victim aged eight years categorically stated of the overt act of the petitioner before the Magistrate as well as during her examination in court. She seeks for dismissal of the application.

Perused the case diary and the materials on record.

The victim was aged eight years at the time of incident. There are serious allegations against the petitioner as stated by the victim before the Magistrate and during her examination in court. Considering such materials and gravity of the offence, I am not inclined to grant bail to the petitioner.

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

As per the status report the next date is fixed on 12th June, 2025. Bearing in mind, the fundamental right of the petitioner for speedy trial, the learned Trial Court is directed to expedite the trial and conclude the same at an early date.

Prosecution is directed to produce witnesses before the Trial Court on the date fixed.

Parties shall cooperate in the trial for examination of the witnesses.

The application for bail being **CRM (DB) 4295 of 2024** stands dismissed.

(Bivas Pattanayak, J.)