

21.10.2020
Item No. 2
Ct.12
FB/G. S. Das

C.R.M. No.6338 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Uluberia Police Station Case No. 57 of 2017 dated 20.7.2017 under Section 376(2)(i)(n)(f) of the Indian Penal Code and Section 6 of Protection of Children from Sexual Offences Act, 2012 pending in the Court of the learned Additional Sessions Judge, Fast Court, (I/C), Uluberia, Howrah being Special Case No. 109 of 2017.

And

In the matter of:-

Sahadeb Mondal

... Petitioner

Mr Sanjib Mitra

.. for the petitioner

Mr. Imran Ali

Mr. M.F.A. Begg

..for the State

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

In a case under Section 376 of the IPC read with Section 6 of the POCSO Act, the petitioner has prayed for bail on the ground that he is in custody for about three years and six months.

The I.O. of this case is personally present with the Case Diary.

We have perused the C.D. The petitioner is a schoolteacher. The allegation levelled against him of committing sexual assault upon a minor girl who is his student.

Considering the status of the petitioner who is under obligation to make healthy and dignified future generation and in view of the nature of the offence, we are not inclined to release the petitioner on bail.

However, we are of the view that the trial of the case should be expedited.

For the reasons stated above, the prayer for bail is **refused**.

However, the Learned Special Judge, POCSO is requested to complete the trial of the case within six months from the date of reopening of the Court after vacation.

CRM 6338 of 2020 and CRAN 1 of 2020 are disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this court.

Urgent certified photostat copy of this order, if applied for, be supplied to the parties, subject to convenience with all requisite formalities.

(Bibek Chaudhuri, J.)

(Subrata Talukdar, J.)