

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

31.01.2025.

16.

as

(Rejected)

**C.R.M. (DB) 672 of 2024
with
CRAN 1 of 2025**

***In Re:- An application for bail under Section 439 of the
Code of Criminal Procedure in connection with Matelli
P.S. Case No.115 of 2023 dated 02.07.2023 under
Sections 6/17 of POCSO Act read with Sections
341/342/384/120B/323/34 of the Indian Penal Code.***

In the matter of : **Bishal Kharia.**

... Petitioner.

Mr. Anirban Banerjee.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,

Mr. Aniruddha Biswas.

...for the State.

Re: CRAN 1 of 2025.

1. Having considered the averments made in the application being CRAN 1 of 2025, order dated 03.01.2025 is recalled. The application is restored to its original file and number.

2. Application being CRAN 1 of 2025 is disposed of.

Re: CRM (A) 672 of 2024.

3. Petitioner contends victim has not named him in statement before Magistrate. Accordingly, he prays for bail.

4. Learned Advocate for the State opposes the prayer for bail. He submits trial is in progress.

5. We have considered the materials on record. Case involves gang rape of the victim. Trial is in progress. Vulnerable witness is yet to be examined.

6. Under such circumstances, we are not inclined to grant bail to the petitioner.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)