

(2024) 01 TP CK 0006

Tripura High Court- Agartala

Case No: Bail Application 59 Of 2023

Abdul Jabbar

APPELLANT

Vs

State Of Tripura

RESPONDENT

Date of Decision: Jan. 4, 2024

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 377
- Protection Of Children From Sexual Offences Act, 2012 - Section 6

Hon'ble Judges: Arindam Lodh, J

Bench: Single Bench

Advocate: D. Sarkar, Raju Datta

Final Decision: Dismissed

Judgement

Arindam Lodh, J

Heard Mr. D. Sarkar, learned counsel appearing for the applicant.

Also heard Mr. Raju Datta, learned P.P. appearing for the respondent.

This is an application filed under Section 439 of Cr.P.C. praying for releasing the accused-applicant on bail in connection with Belonia PS case No.SPL(POCSO) 05/2023 pending before the court of learned Special Judge (The District & Sessions Judge), South Tripura, Belonia.

The applicant has been in custody for one month after being arrested in connection with Belonia PS Case No.SPL(POCSO) 05/2023 for committing offence under Section 377 of IPC and Section 6 of POCSO Act.

Mr. Sarkar, learned counsel for the applicant has submitted that in the instant case charge-sheet has already been submitted, but, there is no chance of expeditious trial of the case.

I have considered the submissions advanced by learned counsel appearing for the applicant.

The allegations are of serious nature. It has come to light that the accused applicant is a teacher of Madrassa and he is not a resident of Tripura.

In my opinion, there is a little chance of availability of the applicant during the course of trial.

In the light of above, I do not find any ground to release the accused-applicant on bail.

Accordingly, the instant bail application stands rejected and thus, disposed of.

However, I direct the concerned court to complete the trial as early as possible.