

15.09.2020
tkm
sl no. 12

C.R.M. 6328 of 2020
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 Howrah GRPS case no. 187 of 2015 dated 29.12.2015 under sections 376(2)(g)/376(D)/120B of the IPC and 4 & 8 of the POCSO Act

And

In Re : Balak Ram Yadav petitioner

Mr. S Mitra

..... for the petitioners

Ms. Sukanya Bhattacharya

Md. Kutubuddin

..... for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Accordingly, the application being 1 of 2020 is disposed of.

It is submitted on behalf of the petitioner that he is in custody for about five years and there is little possibility of trial in the case.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner was a member of group who subjected a minor victim to gang rape.

We have considered materials on record. The allegations are grave. Although in view of the gravity of the offence we are not inclined to grant bail to the petitioner, we request the trial court to take appropriate steps for resumption of the trial proceeding at the earliest.

Investigating officer is directed to communicate the copy of the order to the trial court for necessary action.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)