

10.09.2020

ssd

CRM 6357 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 Budge Budge P.S. Case No.289 of 2019 dated 13.10.2019 under Section 6 of POCSO Act.

And

In the matter of: **Fate Bahadur Singh**

....Petitioner.

Mr. T. Tiwari
Mr. Bikramjit Dutta

...for the Petitioner.

Ms. Zareen N. Khan
Ms. Manisha Sharma

...for the State.

The petitioner undertakes to appropriately stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that though the petitioner was named in one of the statements by the minor survivor, the name of the petitioner was subsequently not taken thereafter.

The State produces the case diary. It is true that the name of the petitioner is not there in one of the statements of the survivor recorded under Section 164 of the Code. However, it must be kept in mind that the minor survivor was six years old at the time of the incident. She has

referred to the offender as “uncles”. It further appears that the survivor identified this petitioner at the TI parade.

Considering the nature of the offence and the material against the accused, the prayer for bail is rejected.

CRM 6357 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)