

15.
ASR 14.10.2020
Allowed

**C.R.A 594 of 2018
with
CRAN 2 of 2020 (CRAN 271 of 2020)
with
CRAN 3 of 2020
with
CRAN 4 of 2020**

(Via Video Conference)

In Re : An application for suspension of sentence under section 389(1) of the Code of Criminal Procedure, 1973;

**In Re : PRADIP PETER DAS @ Md. Noor
.....petitioner**

Mr. Sourab Chatterjee
Mr. Arnab Sengupta

.....for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerje

.....for the State

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within forty-eight hours of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

This is an application by the appellant for suspension of sentence and grant of bail.

On the 25th July, 2018 the learned judge, Special Court under the Protection of Children from Sexual Offences Act, 2012, City Sessions Court, Calcutta convicted the appellant under sections 4/6/8/10 of the said Act and the same day sentenced him to suffer rigorous

imprisonment and fine and in default of payment of fine, further imprisonment under various Sections of the said Act. The sentences were to run concurrently.

Through out the trial the appellant was on bail.

His appeal against the said judgement and order of sentence was admitted by this Court on 16th December, 2019.

The appeal is a continuation of the proceeding of the Court below. Since the appellant was on bail throughout the proceeding before the Court below, we feel it fit and proper to release him on bail after suspension of the said sentence imposed by that court.

We order accordingly.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs. 20,000/- (Rupees twenty thousand only) together with personal release bond of equivalent value to the satisfaction of Chief Metropolitan Magistrate, Calcutta. We impose an additional condition that the petitioner shall report to the learned trial Court below once every month throughout the pendency of the case on appeal and in the event of his failing to do so, the State shall be at liberty to apply for cancellation of this suspension of sentence and bail order, before this Court.

CRA 594 of 2018 with connected applications CRAN 2 of 2020, (CRAN 271 of 2020), CRAN 3 of 2020 and

CRAN 4 of 2020 are disposed of.

(Md. Nizamuddin, J.)

(I. P. Mukerji, J.)