

Serial no.7.
September 18, 2020.
SG

CRM 6479 of 2020
with
CRAN 1 of 2020

In Re. An application for bail under Section 439 of the Code of Criminal Procedure in connection with Itahar Police Station Case No.161 of 2020 dated 31.05.2020 under Sections 376/ 323 of the Indian Penal Code read with Section 4 of POCSO Act.

In the matter of: Fasiuddin Ahammed @ Rajesh Ali
...petitioner.

Mr Kaushik Choudhury
... for the petitioner.

Mr Rana Mukherjee
Ms Sujata Das
... for the State.

The petitioner undertakes to affirm and 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 a false complaint has been lodged.

The State relies on the statement of the survivor recorded under Section 164 of the Code. There is nothing in the statement that implicates the petitioner herein. Indeed, the statement refers to the survivor's father having had a disagreement with the petitioner herein.

Considering the material, the petitioner is entitled to bail.

The petitioner is directed to be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount, one of whom must be local, to the satisfaction of the appropriate court in Uttar Dinajpur. The petitioner will attend every date fixed for trial and any unexplained absence will entitle the trial court to cancel the bail without reference to this court.

CRM 6479 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)