

Serial no.12.
September 18, 2020.
SG

CRM 6540 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 Uluberia Police Station Case No.423 of 2019 dated 12.11.2019 (Special Case No.78 of 2019) under Sections 417/323/354B/506/34 of the Indian Penal Code and under Sections 4/8 of POCSO Act.

In the matter of: Bappa Mollick @ Gausal Alam
Mallick
...petitioner.

Mr R. Mukherjee
... for the petitioner.

Mr Binay Panda
Ms Puspita Saha
... 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 family dispute has led to a false complaint being lodged.

The State refers to the statement of the survivor recorded under Section 164 of the Code. The State reveals that the petitioner apparently torn the victim's clothes and touched her breasts. However, the rest of the statement refers to the petitioner beating the survivor and not committing any sexual act.

Considering the material against the petitioner, he 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 Howrah. 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 6540 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)