

16.09.2020
Item No.11
Court No.08
Dc/Aj.

Allowed

C.R.M. 6565 of 2020
C.R.A.N. 1 of 2020
(Through Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure arising out of Santipur P.S. Case No. 308 of 2020 dated July 14, 2020 under Sections 447/323/354/506/34 of the Indian Penal Code 1860 and Section 12 of Protection of Children from Sexual Offences Act 2012.

And

In the matter of : Sri Sukhen Mondal.
... Petitioner.

Ms. S. Bhattacharya. ... For the Petitioner.

Mr. Saibal Bapuli,
Ms. Sayanti Santra. ... For the State.

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

Learned counsel appearing on behalf of the petitioner submits that the petitioner is in custody for about 66 days and the offences are not clearly made out in the facts and circumstances of the present case.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

Considering the alleged complicity of the petitioner and the length of custody he has already suffered, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom shall be local to the satisfaction of Additional Chief Judicial Magistrate, Ranaghat, Nadia on condition that the petitioner shall stay outside the jurisdiction of Santipur Police Station and shall not enter the said jurisdiction except for meeting the Investigating Officer or attending the court proceeding and shall meet the Investigating Officer once a week and with a further condition to comply with the provision of Section 437(3) of the Code of Criminal Procedure and shall appear before the learned trial court on all future dates of trial.

C.R.M. 6565 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Jay Sengupta, J.)

(Soumen Sen, J.)