

16.09.2020
p.b.
Ct. No.23

CRM 6667 of 2020

(via video conference)

In re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Malda P.S. Case No.692 of 2019 dated 3.11.2019 under Section 448/506 of the Indian Penal Code.

In re: Chandan Rabidas.

.....Petitioner.

Mr. Amitava Karmakar,

Mr. A. K. Bhowmick.

.....for the petitioner.

Ms. Sukanya Bhattacharyya,

Mr. Md. Kutubuddin.

.....for the State.

The petitioner submits that the accused is in custody for over 10 months. Charge sheet has been filed in January, 2020. The trial has not been progressed because of the pandemic situation.

We have considered the statement of the two victims recorded under Section 164 of the Cr.P.C. and the independent minor witness of five years reported to be present at the spot together with the medical examination report, we find that the statement of the two victims and the medical examination report do not corroborate to each other. We do not justify further custodial interrogation of this accused petitioner.

We, therefore, direct that the petitioner be released on bail upon furnishing a bond of Rs.20,000/-

with two sureties of Rs.10,000/- each, one must be local subject to the satisfaction of the learned Additional District and Sessions Judge (Special Court), Malda, on condition that the petitioner shall not tamper with the evidence and intimidate any of the witnesses and shall attend the Court on each and every date. In the event of non-compliance of this condition, the learned court below will be at liberty to cancel the bail without reference to this Court.

The application being CRM 6667 of 2020 stands allowed and disposed of.

(Kausik Chanda, J.)

(Sahidullah Munshi, J.)