

21-10-2020
k.b/b.r.
Item no.05
Bail allowed
Crt. No.12

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 6818 of 2020
Kamal Chandra Das & Anr.
-vs-
The State of West Bengal
With
IA No.CRAN 1 of 2020
CRAN 2 of 2020
CRAN 3 of 2020
(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection Cyber Crime PS Dakshin Dinajpur, Balurghat Case No. 09/2020 dated 25.08.2020 pertaining to GR No. 784/2020 under Sections 439/376/354(D)/503/506/509/34 of the IPC, read with 67 and 67(A) of Information and Technology Act, 2000 and Section 6 of the Indecent Representation of Women (Prohibition) Act, 1986.

Mr. Subrata Saha ...for the petitioners.

Mr. Rana Mukherjee
Mr. Santanu Deb Royfor the State

The advocate-on-record for the petitioners undertake to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking. Accordingly, CRAN No.1 of 2020 is disposed of.

The petitioners are parents of the principal accused. The principal accused is in custody and no prayer has been made for bail against them. So far as the petitioners are concerned, prima facie, we do not find any role or involvement of the petitioners in committing the offence.

Learned P.P.-in-Charge has repeatedly prayed for adjournment on the ground that the Case Diary has not been received by him. However, considering the status of the petitioners being the parents of the principal accused in a case under Section 376 of the Indian Penal

Code along with other penal provision which was allegedly committed by their son, custodial detention of the petitioners seems to be unnecessary.

However, in order to afford the State Prosecutor to submit his grievance on the basis of the Case Diary, we are inclined to grant interim bail to the petitioners.

The petitioners, namely, petitioner No.1 Kamal Chandra Das, petitioner No.2 Anita Das may find interim bail bond of Rs.10,000/- (Rs. Ten thousand only) with one surety each of like amount to the satisfaction of the learned Chief Judicial Magistrate, Balurghat till 19th November, 2020.

Let the matter appear on the date fixed.

The Prosecutor is requested to produce the Case Diary on the date.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

[Bibek Chaudhuri, J.]

[Subrata Talukdar, J.]