

CRM 6852 of 2020
with
IA No. CRAN 1 of 2020

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nalhati P.S. Case No.97 of 2020 dated 28.05.2020 under Sections 376(2)(n)/417/506 of the Indian Penal Code read with Sections 4/6/8/10/12 of the POCSO Act.

And

In the matter of: **Ebrahim Sk**

....Petitioner

Mr. Bitasok Banerjee

... For the Petitioner

Mr. A. Ahmed
Ms. Amita Gaur

... 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 the petitioner had an affair with the survivor but the survivor subsequently married some other and the complaint was lodged only when the marriage did not work out well. According to the petitioner, the survivor is pregnant and the survivor claims that the petitioner is the biological father.

The charge-sheet has already been filed upon the investigation being completed. In due course, upon appropriate tests being conducted, it will be ascertained whether the petitioner is the father of the child that the survivor is carrying. It is virtually an admitted position that the petitioner and the survivor were amorously involved.

In the circumstances, the further detention of the petitioner may not be necessary.

The petitioner will be enlarged on bail upon furnishing a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the appropriate court in Birbhum.

The petitioner will also attend every date fixed for trial and any unexplained absence will entitle the trial court to cancel the bail without reference to this Court.

The petitioner may not make any contact with the survivor till the trial is completed.

Advocate for the petitioner says that CRM 6855 of 2020, appearing elsewhere, is a duplication.

CRM 6855 of 2020 be treated as infructuous.

CRM 6852 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)