

07
05.10.2020
Ct. 08
NB/SK

CRM 6891 of 2020
CRAN 1 of 2020
(Via Video Conference)

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No. 200 of 2019 arising out of Bansdroni Police Station Case No. 148 of 2019 dated 14.09.2019 under Sections 376 (3) of the Indian Penal Code, 1860 read with Section 6 of the Protection of Children from Sexual Offence Act.

And

In the matter of : Raju Sk. Petitioner

Mr. Joydeep Biswas,
Mr. Soumyadeep Das,
Mr. Kaushik Ghosh for the Petitioner

Mr. Swapan Banerjee,
Ms. Purnima Ghosh ...for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within forty eight hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The alleged offence involved in this case is rape of a minor girl between December 2018 and March 2019 roughly. It appears from the submissions made by learned counsel that a romantic relationship and some kind of consent by the victim cannot be ruled out. However, the court below will not be guided by this prima facie observation.

The fact is that the complaints relating to other alleged offenders were proceeded against by the police. The petitioner is in

custody for 382 days. The charge-sheet was submitted on 25th November, 2019.

We allow this application for bail.

The petitioner will be released on bail upon furnishing security of Rs.10,000/- (Rupees Ten Thousand) together with personal release bond of equivalent value to the satisfaction of the appropriate court in 24-Parganas (South). The petitioner must, however, attend on every date fixed for trial and in the event of failing to do so, the trial Court shall be at liberty to cancel the bail of the petitioner without any reference to this Court. We impose a further condition that the petitioner shall not leave the jurisdiction of the local police station without informing the I.C. or without taking leave of the appropriate court.

CRM 6891 of 2020 and the interim application filed therein are disposed of.

(I. P. Mukerji, J.)

(Md. Nizamuddin, J.)