

14-10-2020
k.b/b.r.
Item no.11
Bail allowed
Crt. No.12

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 6917 of 2020
Ismail Ansari @ Nur Islam
-vs-
The State of West Bengal
With
IA No.CRAN 1 of 2020
(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Gazole P.S. Case No. 222 of 2020 dated 27.05.2020 under Sections 448/376/511 of the Indian Penal Code(GR Case No. 2174 of 2020).

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick ...for the petitioner.

Mr. Rana Mukherjee
Ms. Sujata Das ... for the State.

The advocate-on-record for the petitioner undertakes 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.

We have heard the learned advocate for the petitioner and the learned Public Prosecutor-in-Charge.

We have also perused the Case Diary specially the statement of the victim. It appears to us that the incident as narrated by the victim prima facie does not attract offence under Sections 376/511 of the Indian Penal Code. At best the allegation may attract an offence under Section 354A of the IPC. In view of such circumstances, we are inclined to release the petitioner on bail.

The petitioner shall be enlarged on bail upon furnishing a bond of Rs.10,000/-(Rs. Ten thousand only) with two sureties of like amount, one of whom must be local to the satisfaction of the learned Chief Judicial Magistrate, Malda with further condition that if on bail, the petitioner must comply with the provision of Section 439(3) of the Code of Criminal Procedure and also attend trial of the case in the trial Court, failing which the order of bail shall be cancelled without further reference to the Bench.

Accordingly, the application for bail, being CRM No. 6917 of 2020 is disposed of.

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.]