

25.09.2020
Court No.12
Item No. 10
Krishnendu
Bail Granted

C.R.M. 7103 of 2020
With
C.R.A.N. 1 of 2020
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Sonamukhi P.S. Case No. 19 of 2020 dated 22.01.2020 under section 376(2)(i) of the Indian Penal Code and sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012;

In Re : **Paritosh Bagdi**

.....Petitioner

Mr. Nilendra Narayan Ray

....For the Petitioner

Mr. Imran Ali

Mr. F.M.A. Begg

.....For the State

Heard the learned advocates appearing on behalf of the parties.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application, being C.R.A.N. No. 1 of 2020, is disposed of.

The petitioner is in custody for 248 days. It is submitted that he has been falsely implicated in the instant

case. It is further submitted that the medical report does not disclose any case of penetration.

Learned lawyer appearing for the State opposes the prayer for bail and submits that the victim is a minor girl.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission relating to the medical report disclosing no case of penetration of the victim, we are of the opinion that the petitioner may be granted bail.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Bankura and on condition that while on bail, he shall not enter the jurisdiction of Sonamukhi Police Station until further orders, except for the purpose of investigation and/or for attending Court proceedings and shall provide the address where he shall presently reside to the Investigating Agency as well as the Court below and shall meet the Officer-in-Charge of the Police Station within whose jurisdiction he shall presently reside once a week until further orders and on further condition that the petitioner shall appear before the Trial Court on every date of hearing until

further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail, being CRM No. 7103 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.

(Kausik Chanda, J)

(Joymalya Bagchi, J)