

Serial no.6.
September 29, 2020.
SG

CRM 7259 of 2020

In Re. An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda Police Station Case No.731 of 2019 dated 22.11.2019 under Sections 363/365/34 of the Indian Penal Code and Section 4 of POCSO Act.

In the matter of: Imran Sk

...petitioner.

Mr Imtiaz Ahmed
Mr Mazhar Hossain Chowdhury
... for the petitioner.

Mr Imran Ali
Ms Manasi Roy
... 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 though the survivor may be a minor, the petitioner and the survivor have had a relationship and there was no question of the petitioner abducting the survivor.

The State places the statement of the survivor recorded under Section 164 of the Code. Such statement indicates that the survivor accompanied the petitioner on her own accord.

Considering the material, the petitioner is entitled to bail.

The petitioner is directed to be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand

Only) with two sureties of like amount, one of whom must be local, to the satisfaction of the appropriate court in Malda. The petitioner will attend every date fixed for trial and any unexplained absence will entitle the trial court to cancel the bail without reference to this court.

CRM 7259 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)