

20.10.2020  
S.L. No.4  
Bpg.

**CRM 7386 of 2020**  
**With**  
**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.44 of 2020 arising out of New Town Police Station Case No.83 of 2020 dated 11.06.2020 under Sections 376(I)/376D of the Indian Penal Code, 1860 read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: **Soumitra Roy @ Sumit and another.**  
...Petitioners.

Mr. Nazir Ahmed  
...for the petitioners.

Mr. Prasun Kumar Datta  
Mr. Nirupam Dhali.  
...for the State.

The petitioners undertake 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 petitioners claim that they were mere employees at a hotel against whom a charge under Section 212 of the Penal Code has been indicated in the charge-sheet, but the petitioners remain arrested for more than four months.

The State says that the petitioners are not the principal accused and may have been hotel employees.

Considering the material, the petitioners may be enlarged on bail, but the petitioners must not leave the State and should be available at the time of trial.

Accordingly, the petitioners will be enlarged on bail upon furnishing security of Rs.20,000/- (Rupees twenty thousand) only each with two sureties of like amount each, one of whom must be local, to the satisfaction of the appropriate court in North 24 Parganas. The petitioners 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 7386 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)