

14-10-2020
Subha
Item no.Sup 30
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 7413 of 2020

Ismail Kurban @ Ismail Sk.

-vs-

The State of West Bengal

With

CRAN 1 of 2020

(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Baishnabnagar P.S. Case No.75 of 2020 dated February 11, 2020 under sections 363/302/201/120B/379 of the Indian Penal Code; S.6 of the POCSO Act, 2012.

Mr. Sourav Chatterjee
Mr. Soumya Nag

...for the petitioner.

Mr Neguive Ahmed
Ms. Amita Gaur

... 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.

Although this is an alleged offence under Section 302 of the Indian Penal code read with POCSO Act, learned advocate appearing for the State submits that the petitioner was not named in the statement recorded under Section 164 Cr.P.C. Moreover, we find that the incident took place on 9th February, 2020 and the FIR lodged on 11th February, 2020. The petitioner was arrested on 27th February, 2020. The charge-sheet was submitted on 23rd April, 2020. Therefore,

the investigation is over.

Under those circumstances, we allow this application for bail.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only) together with personal release bond of equivalent value to the satisfaction of the appropriate court, Malda. 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 the court. We also direct the learned court below to conclude the trial as early as possible preferably not later than 30th June, 2021.

Accordingly, the application for bail, being CRM No.7413 of 2020 and CRAN 1 of 2020 are disposed of.

[Md. Nizamuddin, J]

[I. P. Mukerji, J]

