

14-10-2020
Subha
Item no.Sup 31
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 7416 of 2020

Nilbabu Mirdha
-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 Md. Bazar P.S. Case No.44 of 2020 dated February 9, 2020 under section 376D of the Indian Penal Code(G. R. Case No. 149/2020).

Mr. Bitasok Banerjee ...for the petitioner.

Ms. Sukanya Bhattacharyya
Md. Kutubuddin ... 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.

The alleged offence is under Section 376D of the Indian Penal Code. It did not result in death. The incident occurred on 8th February, 2020. F.I.R was lodged on 9th February, 2020. The petitioner is in custody for 244 days.

Admittedly, the investigation is complete. Charge-sheet has been submitted. Since the offence is serious, we are inclined to grant bail to the present petitioner on the above facts subject to the special condition mentioned below.

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, Birbhum, Suri. 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.

The petitioner shall not leave the jurisdiction of the local police station without informing and obtaining permission of the IC and giving him all particulars of his whereabouts or the jurisdictional court.

Accordingly, the application for bail, being CRM No.7416 of 2020 and CRAN 1 of 2020 are disposed of.

[Md. Nizamuddin, J]

[I. P. Mukerji, J]

