

05.10.2020
(27) KC

C.R.M. 7426 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 Maheshtala Police Station Case No. 511 dated 23.08.2019 under Sections 376/506 of the Indian Penal Code read with Protection of Children from Sexual Offences Act, 2012.

In the Matter of : Prabir Ghosh

.... petitioner.

Mr. Sarwar Jahan,
Mr. Firoz Hassan
Mr. Maidul Islam Kayal.....For the petitioner.

Ms. Sukanya Bhattacharya,
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 forty eight hours 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 376 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act. The alleged incident had first taken place when the victim was seventeen years old but the first information report was lodged when she was about twenty three years, on 23rd August, 2019.

The petitioner is in custody for over one year. The investigation is complete. Charge-sheet has been submitted.

This is a fit case for grant of bail. We allow this application.

The petitioner will be released on bail upon furnishing security of Rs.10,000/- (Rupees Ten Thousand) together with personal release bond of equivalent value to the satisfaction of the appropriate court in 24-Parganas (South). 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 petitioners without any reference to this Court.

CRM 7426 of 2020 and the interim application filed therein are disposed of.

(I.P. MUKERJI, J.)

(MD. NIZAMUDDIN, J.)