

08.10.2020
DL No.07
Court No.10
am

CRM 7454 of 2020
CRAN 1 of 2020

(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bagdah** P.S. Case No.**435/2020** dated **05.08.2020** under Sections **376/417** of the Indian Penal Code.

And

In the matter of: Rakesh Biswas

....Petitioner.

Mr. Amanul Islam

...for the Petitioner.

Md. Anowar Hossain

Ms. Ratna Ghosh

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has a love relationship with the victim and the family members of the victim have instigated the victim to lodge the complaint against the petitioner belatedly.

Learned counsel appearing on behalf of the State opposes the prayer for bail. Learned counsel has relied upon the statement under Section 164 of the Code of Criminal Procedure of the victim and submits that the said statements clearly indicate the commission of the alleged offence by the petitioner.

Considering the materials on record and the extent of complicity of the petitioner in the commission of the alleged offence, we are inclined to release the petitioner on bail.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom shall be local to the satisfaction of Additional Chief Judicial Magistrate, Bongaon, North 24 Parganas on condition that the petitioner shall stay outside the jurisdiction of Bagdah Police Station and shall not enter the said jurisdiction except for meeting the Investigating Officer or attending the court proceeding and shall meet the Investigating Officer once a week and with a further condition to comply with the provision of Section 437(3) of the Code of Criminal Procedure and shall appear before the learned trial court on all future dates of trial.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)