

16-10-2020
Subha
Item no.37
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 7683 of 2020

Soidul Islam Sekh
-vs-
The State of West Bengal
(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Daspur P.S. Case No.212 of 2020 dated 27.06.2020 under section 305 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act,2012 .

Mr. Sourav Chatterjee
Mr. Soumajit Das Mahapatra ...for the petitioner.

Mr. Binoy Panda
Ms. Puspita Saha ... 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.

This case involves alleged suicide. The incident of alleged sexual abuse is alleged to have been committed by the petitioner on 26th June, 2020. The victim girl allegedly committed suicide on 27th June, 2020. The First Information Report was lodged on 27^h June, 2020. However, we find on examination of the case diary that the post mortem report only says death by suicide. No report of any medical examination could be shown to us. Charge-sheet was submitted on

23rd August, 2020. The petitioner is in custody for 110 days. Since the investigation is over and charge-sheet submitted, we allow the prayer for bail of the petitioner.

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, Paschim Medinipur. 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.

Accordingly, the application for bail, being CRM No.7683 of 2020 is disposed of.

[Md. Nizamuddin, J]

[I. P. Mukerji, J]