

19.11.2020.

Item No. 42

ap

**C.R.M. 7845 of 2020
(via video conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.09.2020 in connection with Malda Police Station Case No. 490 of 2018 dated 15.11.2018 under Sections 363/365 of the Indian Penal Code with added Section 4 of POCSO Act.

And

In the matter of: Enamul Hoque @ Enamul Haque & Anr.
...Petitioners

Mr. Musharraf Alam Sk. ...For the petitioners

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan.For the State

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

The petitioners submit that since the charge-sheet has already been filed upon the investigation being completed, the further detention of the petitioners may be unnecessary.

The State relies on the statements of the two girls who were apparently abducted. One of the girls was a minor at the time of the incident. Between the two girls, they have named these petitioners and another as the persons who abducted them and violated them.

Considering the tender ages of the girls and the gravity of the charges, it may be unwise to allow the petitioners to roam about freely in society. The prayer for bail is refused.

CRM 7845 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)