

15.10.2020
Item No. 14
Sdas
rejected

C.R.M. 7855 of 2020
with
CRAN 1 of 2020
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 322 of 2018 dated 29.07.2018 under Sections 4/6 of the POCSO Act.

And

In Re : Gopal Ghosh petitioner

Mr. A. K. Biswas

... for the petitioner

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

... for the State

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 conferencing.

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

Having considered the materials on record prima facie disclosing involvement of the petitioner in subjecting the minor to penetrative sexual assault and as the vulnerable witnesses have not yet been examined, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Special Court is requested to take prompt steps for examination of the victim at the earliest either in person or via electronic mode, as may be appropriate.

(Subhasis Dasgupta, J.)

(Joymalya Bagchi, J.)