

18.11.2020
8 DL
Sws M/G.S.Das
Ct. No.11

CRM 7931 of 2020

(Via Video Conference)

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 665/20 dated 09.09.2020 under Sections 376/417/420/506/34 of the Indian Penal Code..

And

In the matter of : **Sailan Ghosh @ Rahul**

..... Petitioner

Mr. Angshuman Chakraborty

.... for the Petitioner

Ms. Sukanya Bhattacharya
Md. Kutubuddin

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Learned Advocate for the petitioner submits that the petitioner is in custody for about 66 days and the investigating authorities have already submitted report under Section 173 of the Code of Criminal Procedure before the Learned Court below.

Learned Advocate for the State draws the attention of this Court to the statement of the victim under Section 164 of the Code of Criminal Procedure and also the Medical Report as available in the case diary.

We have perused the materials on record, the statement of the victim recorded before the Learned Magistrate and also the Medical Report appearing at page 26 of the Case Diary.

Having regard to the same, we are of the opinion that further detention of the petitioner is not warranted for the purpose of investigation as charge-sheet has already been submitted.

Accordingly the prayer for bail is **allowed**.

Accordingly, we direct, that the petitioner shall be released on bail upon furnishing bond of Rs.10,000/- (rupees ten thousand only) with two sureties of Rs.5000/- (rupees five thousand) each to the satisfaction of the ACJM Krishnanagar, Nadia on condition that the petitioner shall not tamper with the evidence or intimidate the witnesses.

With these observations, CRM 7931 of 2020 is disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)

