

19.10.2020
Sl. No. 31
kb/b.r.
Allowed
Crt.12

**CRM 8061 of 2020
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali P.S. Case No.420 of 2020 dated 30.08.2020 under Sections 376/511 of Indian Penal Code 1860 read with Section 8 of the POCSO Act, 2012.

And

In the matter of: **Mangal Mondal**

....Petitioner.

Mr. Abdur Rakib

...for the Petitioner.

Ms. Sukanya Bhattacharya

Md. Kutubuddin

...for the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Learned Counsel for the petitioner submits that the petitioner is in a love relationship with the victim and he has been falsely implicated by the mother of the victim.

Learned Counsel for the State opposes the prayer for bail.

The petitioner is in correctional home for 49 days.

Having considered the materials on record along with the statement of the victim recorded under Section 164 of the CrPC and the medical examination report it appears that the medical examination report prima facie does not corroborate with the statement of the victim girl.

Having regard to the length of custody and having regard to the fact that chargesheet has already been submitted, we allow the application for bail.

Let the petitioner be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia with further condition if on bail the petitioner must comply with the provision of Section 437(3) of the Code of Criminal Procedure and subject to the condition that during bail he shall appear before the learned trial court regularly during trial on every date fixed for appearance and on further condition that he shall not intimidate witnesses or tamper with evidence in any manner whatsoever, failing which the order of bail shall be cancelled without any further reference to this Court.

CRM 8062 of 2020 stands thus disposed of.

Learned advocate as well as the other concerned authorities shall act on the copy of the order downloaded from the official website of this Court.

(Soumen Sen, J.)

(Abhijit Gangopadhyay, J.)