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20-10-2020

Court 12

C.R.M. 8089 of 2020

(Via Video Conference)

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Goghat Police Station Case No. 48 of 2020 dated 13.02.2020 under Sections 302/34 of the Indian Penal Code and Section 4 of the POCSO Act.

Pratap Mallick
Versus
State of West Bengal

Mr. Niladri Sekhar Ghosh, Adv.
Ms. Srimoyee Mukherjee, Adv.

...for the petitioner.

Mr. Madhusudan Sur, Adv.
Mr. Manoranjan Mahata, Adv.

...for the State.

The petitioner undertakes to affirm and stamp the petition/application 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.

Having considered the materials on record as well as the post-mortem report and the statements of the witnesses recorded under Section 161 and the statement of victim recorded under Section 164 of the Code of Criminal Procedure, we are not inclined to release the petitioner on bail.

In view of the fact that the charge-sheet has already been filed, the learned trial judge shall take immediate steps to initiate the process of framing of charges and take the said proceeding to its logical conclusion expeditiously, preferably within a period of one year from the date of resumption of normal functioning of the court.

The application for bail is, thus, rejected.

(Aniruddha Roy, J.)

(Soumen Sen, J.)

