

22 20.10.2020
rkd Ct. no.03
(Allowed)

**C.R.M. 8159 of 2020
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kaliachak** P.S. Case No. **637 of 2020** dated **22/08/2020** under Sections **363/365/417/376** of the Indian Penal Code.

And

In the matter of: Aliul Sk.

....petitioner.

Ms. S. Saha

...for the petitioner.

Mr. P.P. Das

...for the State.

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

Having considered the materials on record and bearing in mind the facts and circumstances of the case in the light of the submission that the victim was a major girl at the time of cohabitation, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner are directed to 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 Chief Judicial Magistrate, Malda subject to the condition that during bail he shall appear before the learned trial court regularly and he shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court

to cancel the bail without any further reference to this Court.

The application for bail is, thus, disposed of.

(Md. Nizamuddin, J.)

(Joymalya Bagchi, J.)