

10-11-2020
Subrata/Rajib
item no.86
bail granted

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.8975 of 2020
Isrefil Sarkar
-vs-
The State of West Bengal

In Re: Application under section 439 CrPC in connection with Jalpaiguri Women P. S. Case No. 83 of 2020 dated August 13, 2020 under section 363 IPC read with section 4 of POCSO Act corresponding to Sessions Case No.77 of 2020.

Mr. Jaydeep Kanta Bhowmik ...for the petitioner

Mr. Aditi Sankar Chakraborty
Mr. Biswaroop Roy ... 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.

The petitioner claims that he had a love affair with the 17 years old survivor and did not realise that the survivor had not attained majority.

It is submitted on behalf of the State that the petitioner is married and that the petitioner lured the minor into a relationship without disclosing that the petitioner was married.

Though the petitioner denies that he is married, it is evident that the petitioner and the survivor were acquainted with each other.

Considering the nature of the allegations, further custodial interrogation of the petitioner does not appear to be necessary.

The petitioner will be enlarged on bail upon furnishing security of Rs.10,000/- (Rupees ten thousand) with two sureties of like amount

each, one of whom must be local, to the satisfaction of the appropriate court in Jalpaiguri. The petitioner will attend every date fixed for trial and any unexplained absence would entitle the trial court to cancel the petitioner's bail without reference to this court.

CRM No.8975 of 2020 is disposed of.

[Arijit Banerjee, J]

[Sanjib Banerjee, J]