

10-11-2020
Prabir/Subha
Item no.22
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 9033 of 2020
Hawalder Dubey @ Hawaldar Dubey
-vs-
The State of West Bengal
(Via video-conference)

In Re: An application for bail under Section 439 CrPC in connection with Ultadanga P.S. Case No.131 of 2020 dated June 30, 2020 under sections 363/366A/376(2)(N)/212/120b of the Indian Penal Code read with sections 6/17 of the POCSO Act, 2012.

Mr. Debasish Roy
Mr. Avik Ghatak
Mr. Sagnik Mukherjee ...for petitioner.

Mr. Prasun Kumar Dutta
Mr. Pradipta Kumar Ganguly ... for State.

Advocate-on-record for petitioner undertakes to affirm and properly stamp the petition as per rules within one week of resumption of normal functioning of Court. The petition is taken up through video-conference on the basis of such undertaking.

Learned advocate for petitioner submits that principal accused and his father have already been released on bail. His client is the driver.

Learned advocate appearing on behalf of State submits that those are facts. The petition discloses orders granting bail.

Hence, we are inclined to allow the prayer for bail of petitioner.

Accordingly, we direct that petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees ten thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Sealdah, subject to condition that petitioner shall not tamper with evidence and/or intimidate witnesses in any manner whatsoever.

In event petitioner fails to comply with the conditions, it will be open to trial Court to cancel bail without any further reference to this Court.

The application for bail, being CRM No. 9033 of 2020, is disposed of.

[Arindam Sinha, J]

[Md. Nizamuddin, J.]