

12.11.2020
ss
(Serial No. 19)
Allowed

**CRM 9259 of 2020
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Cooch Behar Women Police Station (Sadar) case no. 113 of 2019 dated 23.12.2019 under sections 363/365/417 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act.

In Re : Samim Sk.

... petitioner

Mr. Arnab Saha

.....for the petitioner

Mr. Arun Sarkar

Mr. Biswarup 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 the petitioner was acquainted with the survivor and even the statement of the survivor would reveal such position.

The State relies on the statement of the survivor recorded under Section 164 of the Code.

It is evident that the survivor accompanied the petitioner to some place and, later, the petitioner visited the survivor's residence.

Considering the circumstances, the further detention of the petitioner is not deemed necessary. However, the petitioner should not contact the survivor till the trial is completed.

Subject to the above, the petitioner will be enlarged on bail on furnishing security 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 the appropriate Court in Cooch Behar. The petitioner will attend every date fixed for trial and any unexplained absence will entitle the trial Court to cancel the bail of the defaulting petitioner without reference to this Court.

CRM 9259 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)