

1.12.2020
ks/sk
Item no.10
rejected

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.9526 of 2020

Ataur Rahman

-vs-

The State of West Bengal

In Re: An application for bail under **Section 439 CrPC** in connection with Gazole P.S. Case No.66 of 2003 dated 11.04.2003 under sections 363/366/372/376/34 of the Indian Penal Code.

Mr. Kazi M. Rahaman

...for the petitioner.

Ms. Faria Hossain,

Ms. Baisali Basu

... for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition 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.

The learned Advocate appearing for the petitioner submits that the petitioner is already in custody for more than seven months. Therefore, the petitioner should be granted bail.

Learned Advocate appearing for the State opposes the prayer for bail and produces the case diary. She contends that the minor girl aged about 14 years was sold by the petitioner. She further contends that earlier bail was granted in favour of the petitioner. Thereafter taking advantage of the bail, the petitioner was absconded for more than 17 years. Therefore, if the petitioner's application for bail is granted, we are apprehending that again the petitioner will abscond. Therefore, the court should not allow the bail application of the petitioner.

Considering the submission as advanced by the learned Advocate appearing for the parties and after perusing the case diary, we are of the opinion that the petitioner should not be granted bail. Therefore, the application for bail is rejected at this stage.

CRM No.9526 of 2020 is disposed of.

[Kausik Chanda, J]

[Samapti Chatterjee, J]

