

15.12.2020
tkm
sl no. 68

**C.R.M. 10419 of 2020
(via video conference)**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranaghat Women P.S. Case No. 54 of 2020 dated 11.7.2020 under Sections 354/506 of the Indian Penal Code and section 8 of the POCSO Act

And

Allowed

In Re : Babu Biswas

..... petitioner

Mr. S Hazra

..... for the petitioner

Mr. T K Ghosh

Mr. A. Sen

..... for the State

It is submitted on behalf of the petitioner that there was delay in lodging FIR.

Learned lawyer for the State opposes the prayer for bail.

Genuineness of the allegation relating to sexual abuse may be assessed in the light of the submission relating to delay in lodging FIR.

Under such circumstances and in view of the period of detention suffered by the petitioner i.e. 165 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Ranaghat on condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 10419 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)