

12.01.2021
Court No.28
rpan / 02

C.R.M. 18 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Dholahat P.S. FIR No. 377 of 2019 dated 15.10.2019 [Charge Sheet no.360/2019 dated 08/11/2019] under section 10 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : Yunuch Molla @ Yunus
...Petitioner.

Mr. Ranadeb Sengupta,
Mr. Gobinda Chandra Baidya
....for the petitioner.

Mr. Rana Mukherjee,
Mr. Suman Saha
....for the State.

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in connection with the instant case. Additionally, he submits that since the charge sheet has been submitted and charge has been framed, further detention of the petitioner is unwarranted.

Mr. Mukherjee, learned advocate appearing for the State opposes the application for bail and submits that there are incriminating materials appearing against the present petitioner.

We have considered the materials on record and we find that the date for evidence of victim girl is fixed on 21st January, 2021. In view of the aforesaid fact, we direct the learned Special Court to comply the provision of sub-section (1) of Section 35 of the POCSO Act in its true and proper spirit.

The petitioner is granted liberty to approach this Court and renew the prayer for bail after the evidence of the victim girl is complete.

The application for bail, being CRM No.18 of 2021, is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)