

12.04.2021
Court No.28
Item No. 15
Krishnendu
Bail Granted

**C.R.M.1496 of 2021
(Via video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Ranaghat Police Station Case No. 208 of 2020 dated 08.10.2020 under sections 363/365/120B /376 of the Indian Penal Code and section 4 of the Protection of Children from Sexual Offences Act.

And

In Re : **Sujoy Biswas @ Sujay Biswas**

Petitioner

Ms. Minoti Gomes

For the Petitioner

Mr. S.G. Mukherji, Id. P.P.

Mrs. Sukanya Bhattacharya

Mr. Nirupam Dhali

For the State

Ms. Sananda Bhattacharyya

For the *De facto* Complainant

The learned Counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case.

The learned Public Prosecutor appearing for the State opposes the prayer for bail. He, however, in all his fairness, has drawn our attention to the statement of the victim under section 164 of the Code of Criminal Procedure and the medical examination report.

The learned Counsel appearing for the *de facto* complainant opposes the prayer for bail and submits that this is a case of kidnapping.

Considering the materials available on record, the statement of the victim under section 164 of the Code of

Criminal Procedure, the medical examination report and the extent of complicity of the petitioner in the commission of the offence and also having regard to the fact that the petitioner is in custody since 14th October, 2020 and that charge sheet has already been filed, we feel that further detention of the petitioner is not necessary. On such consideration, we are inclined to grant bail to the petitioner subject to certain stringent conditions.

Accordingly, we direct that the petitioner, namely, **Sujoy Biswas @ Sujay Biswas**, shall 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, on condition that the petitioner should not enter the jurisdiction of Ranaghat Police Station, except for the purpose of attending the Court proceeding and shall meet with the Officer-in-Charge of the local Police Station once in two weeks until further order. He shall also furnish the particulars of the place where he resides pursuant to this order to the Court concerned as well as to the Officer-in-Charge of Ranaghat Police Station and with a further condition to comply with the provisions of section 437(3) of the Code of Criminal Procedure.

In the event the petitioner fails to comply with any of the conditions mentioned hereinbefore, it would be open to the learned Trial Court to cancel the bail without any further reference to this Court.

The application for bail, being CRM No.1496 of 2021, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J)

(Soumen Sen, J)