

04.01.2021
Sl. No.32

Court No.30
BM

CRA 156 of 2020
With
IA No.: CRAN/1/2020(Old No.CRAN No.4599 of 2020)
With
CRAN /2/2020

Subodh Nag
Vs.
The State of West Bengal

Mrs. Minoti Gomes
Mr. Md. Hafiz Ali
Mr. Partha Sarathi Das ... for the appellant

Mr. Aniket Mitra for the State

This is an application for releasing the appellant on bail under the provision of Section 389 of the Code of Criminal Procedure pending hearing of the appeal.

It is submitted that the appellant has been convicted for the charges under Section 354 of the Indian Penal Code and Section 8 of POCSO Act. Separate sentence for a simple imprisonment for four years for each offence with a fine with default clause has been awarded against the appellant/petitioner with the direction that both the sentences shall run concurrently vide the impugned judgement in Criminal Appeal No.156 of 2020.

Mr. Aniket Mitra, learned advocate for the State submits that the statements of victim girl finds, corroboration warranting conviction and sentence as imposed by the learned trial court.

On the contrary, Mrs. Minoti Gomes, learned advocate for the appellant submits that the appellant has already served sentence for a period of two years three months and it is a term punishment. Since, there is least scope for getting the appeal heard on merit in

near future as the lower court record has not yet been called for, prayer for admitting the appellant on bail is considered and allowed.

The appellant/petitioner be enlarged on bail on furnishing bond of Rs.20,000/- with two sureties of like amount each one of whom must be local subject to the satisfaction of the Learned Judge, Special Court, POCSO Act, Kandi, Murshidabad with direction to the appellant to attend learned trial court till the disposal of the appeal.

Thus, CRAN/1/2020 (Old CAN 4599 of 2020) with CRAN 2/2020 stands disposed of.

(Shivakant Prasad, J.)