

05.01.2021
S.D.
4.

CRM 11161 of 2020

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of: **Narugopal Debnath**

....Petitioner.

Mr. Mrityunjoy Chatterjee

...for the Petitioner.

Mr. Binoy Panda

Ms. Puspita Saha

...for the State.

It is submitted on behalf of the petitioner that the victim is aged 17 years old and School going girl and when she was returning home from School after taking tuition, the petitioner/accused allegedly caught hold of her and removed his pant showing his private part.

It is submitted that the charge sheet has already been submitted against the petitioner who is in custody for the last 56 days and custodial trial is not required.

Having heard learned Advocate for the petitioner and the learned Advocate for the State and in consideration of the Case Dairy, in particular, the statement of the victim girl recorded under Section 164 of the Cr.P.C., the prayer for bail is considered and allowed.

The accused/petitioner may find bail upon furnishing a bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of like amount each; one of whom must be local to the satisfaction of the learned Additional Sessions Judge, 1st Court-cum-Judge, Special Court under POCSO Act, Contai, Purba Medinipur and on further condition that the

petitioner will attend the Court on the date fixed and will face the trial.

In the event, there is failure on the part of the petitioner in attending the Court on the date fixed for no plausible reason, the learned Judge, POCSO will be entitled to cancel the bail without further reference to this Court.

Accordingly, the application for bail being CRM No. 11161 of 2020 is disposed of.

Urgent Photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Shivakant Prasad, J.)