

Serial no.4.
September 25, 2020.
SG

CRM 6641 of 2020

In Re. An application for bail under Section 439 of the Code of Criminal Procedure in connection with Haldibari Police Station Case No.145 of 2017 dated 04.09.2017 under Sections 363/365/370(4)/ 372/ 373 of the Indian Penal Code and Section 6 of POCSO Act.

In the matter of: Sunu Roy @Dona Roy
...petitioner.

Mr Debajit Kundu
... for the petitioner.

Mr Ujjal Luksom
Mr Sagnik Sankar Sikdar
... for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that the petitioner is in custody for more than 700 days and says that there is no chance of the trial being completed in the near future.

Unfortunately, for the last six months or so no criminal act has been conducted. It is hoped that normal functioning may be resumed in a month or so.

According to the State, the case pertains to possible trafficking. The survivor was able to free herself and return home. Her statement under Section 164 of the Code names several persons. The State says that some of such persons are absconding. The present petitioner is the wife of the principal accused and the principal accused is absconding.

Considering the nature of the offence as evident from the statement of the survivor, the present petitioner does not deserve any latitude at this stage.

The prayer for bail is rejected.

CRM 6641 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)