

05.10.2020

BP/BR
Sl.27

CRM 7462 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Shyampur Police Station Case No. 92 of 2020 dated 11.03.2020 under Sections 376(A) (B)/448/323/325/354/506/34 of the Indian Penal Code and Section 6 of the POCSO Act, 2012.

In the matter of : Bebiya Begam....petitioner

Mr. Tanmoy Chowdhury
..for the petitioner.

Ms. Faria Hossain
Ms. Chaitali Basu
..for the State.

Mr. Tanmoy Chowdhury, learned advocate appearing for the petitioner submits that the petitioner is in no way involved in the present case and she has been falsely implicated. She is already in custody for more than 72 days. Therefore, she should be enlarged on bail.

Ms. Faria Hossain, learned advocate appearing for the State opposes the prayer for bail and she submits that the petitioner's involvement in the present case cannot be ruled out. She further submits that till date no charge sheet has been submitted. She submits the memorandum of evidence.

Considering the memorandum of evidence and the submissions as advanced by the learned advocates for the parties, we are inclined to grant bail to the petitioner. Accordingly, the prayer for bail is allowed.

Let the petitioner be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, Special Court, POCSO Act, Uluberia, Howrah subject to the condition that during bail the petitioner shall appear before the learned trial court regularly till disposal of the trial and the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever,

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any reference to this court.

The application for bail being C.R.M. 7462 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Aniruddha Roy, J.)