

15.01.2021
Court No.28
Item No. 10
Krishnendu
Bail Granted

**CRM 189 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Champa Biswas**

...Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Sekhar Saha

...For the Petitioner

Mr. Saswata Gopal Mukherji
Mrs. Sayanti Santra

...For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Santipur Police Station Case No. 11 of 2016 dated 05.01.2016 under sections 302/201/109/120B/34.

Mr. Chakraborty, learned advocate appearing for the petitioner submits that the petitioner is in custody for about five years and she is having a child aged about four years. In this case there are nineteen witnesses, out of whom only four have been examined and as such trial would proceed for a substantial period of time and in the midst thereof, the mother, being the petitioner herein, would be facing insurmountable inconveniences, if kept under further detention.

Mr. Mukherji, learned Public Prosecutor appearing for the State has placed before us the case diary and has drawn our attention to several documents in the same.

Records reveal that the petitioner earlier approached this Court praying for bail. The said application, being CRM 4117 of 2020, was

disposed of by an order dated 24th June, 2020 directing the appropriate authorities to extend all facilities and amenities to the child.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the period of custody and in appreciation of the inconveniences faced by the petitioner and her child of only four years, we are of the opinion, in the interest of justice, further detention of the petitioner is not necessary.

Accordingly, the petitioner 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.

With the aforesaid observations, the application for bail, being CRM No. 189 of 2021, is disposed of.

(Tirthankar Ghosh, J)

(Tapabrata Chakraborty, J)