

02-12-2021

Item no.422

Subrata

allowed

IN THE HIGH COURT AT CALCUTTA

Criminal Miscellaneous Jurisdiction

CRM No.7719 of 2021

Champa Barman & Anr.

-vs-

The State of West Bengal

In Re: Application under **section 439 CrPC** in connection with Balurghat P. S. Case No. 538 of 2019 dated October 28, 2019 under sections 341/448/323/302/506/34 IPC.

Mr. Ayan Bhattacharya

Mr. Subrata Saha

Mr. P. Khan

...for the petitioners

Mr. Binay Kumar Panda

Ms. Puspita Saha

Mr. Subham Bhakat

... for the State

The two petitioners seek bail.

Learned advocate appearing for the petitioners submits that other female accused were granted either anticipatory bail or bail by the jurisdictional court. He seeks bail to the petitioners considering the gender and the period of detention – since September 15, 2021.

Learned advocate for the State opposes the prayer for bail and draws the attention of the court to the statement recorded under section 161 CrPC.

Considering the fact that the police filed charge-sheet and considering the complicity of the petitioners in the incident and considering their gender and considering the fact that the other female co-accused were granted either anticipatory bail or bail, we are inclined to grant the petitioners bail.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of like amount each, one of whom must be local, to the

satisfaction of the Additional Sessions Judge, Balurghat, Dakshin Dinajpur. The petitioners, if released, shall attend on every date fixed for trial; and in the event of failing to do so, the trial court shall be at liberty to cancel the bail of the petitioners without any reference to this court.

CRM No.7719 of 2021 is thus disposed of.

[Debangsu Basak, J]

[Bibhas Ranjan De, J]