

08.04.2022

Sl. 63
Court No.29
Suvayan

CRM 6822 of 2021

In Re: - An application for cancellation of bail under Section 439 (2) of the Code of Criminal Procedure.

And

In the matter of: Roma Mandal

....petitioner.

Mr. Sarthak Mondal

... for the petitioner.

Mr. Bidyut Kr. Roy

Ms. Rita Datta

...for the State.

Petitioner seeks cancellation of the bail granted by the order dated August 10, 2021 in CrI. Misc. Case No.2766/2021.

State is represented.

None appears for the private opposite party despite service.

Affidavit-of-service filed in Court be taken on record.

It is contended on behalf of the petitioner that, the Court proceeded to grant bail to the private opposite party, on August 10, 2021 without considering the parameters for granting bail. The private opposite party was accused of offences, *inter alia*, under Sections 498A and 304B of the Indian Penal Code. the learned Judge proceeded to grant bail on the consideration of lenient approach due to the ongoing pandemic. The police did not file charge-sheet on the date of the order granting bail.

The other accuseds were absconding at that point of time.

The Sessions Judge by the order dated August 10, 2021, granted bail to the private opposite party taking into consideration the period of custody of the private opposite party and the progress of the investigation coupled with the view of the Hon'ble Apex Court that lenient approach should be taken with regard to the bail application during the pandemic situation.

Attention of the Court is drawn to the communication with regard to the high power committee.

Such high power committee proposed parameters to be adopted for the consideration of bail of convicts under trials. It exempted a number of offences. The offences involved in the present case does not come within the exemption of the communication of the high power committee meeting dated March 27, 2020.

We find no material irregularity in the order dated August 10, 2021 granting bail to the private opposite party warranting any interference.

Accordingly, the prayer for cancellation of bail is rejected.

C.R.M. 6822 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)