

CRM (A) No. 4959 of 2022

In re: An application under Section 438 of the Code of Criminal Procedure in connection with **Tangra Police Station Case No. 242 of 2019 dated 04.12.2019 under Sections 120B/376/370/328/354C of the Indian Penal and read with Sections 3/4/5 of Immoral Traffic (Prevention) Act 1956.**

- A n d -

In the matter of : Kiran Kumari @ Kiran Kumar Mallick & Anr.

.... Petitioners

Mr. Angshuman Chakraborty
Mr. S.S. Saha

... For the Petitioners

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

..For the State

We have considered the fact that the other co-accused who are named in the supplementary charge-sheet are enlarged on bail. The petitioners who were named before us are in the supplementary charge-sheet. The materials placed before the Court also do not make any specific allegation against the petitioners. Moreover, there has been a substantial delay in lodging of the FIR. We are, therefore, of the view that custodial interrogation of the petitioners are not required.

In the event of arrest, the petitioners shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees ten thousand only) each with two sureties of like amount, one of whom shall be local and to the satisfaction of

Arresting Officer. The petitioners shall be subjected to the conditions under Section 438 (2) of the Cr. P.C. and the petitioners shall make themselves available for trial before the learned Court below as and when petitioners are called to do so.

CRM (A) 4959 of 2022 is accordingly allowed.

In the event, the petitioners fail to comply with the above condition, the learned Court below shall be at liberty of cancelling the order without further reference to this Court.

(Saugata Bhattacharyya, J.)

(Moushumi Bhattacharya, J.)