

12.10.2023
tkm/ct 28
sl no. 48

C.R.M. (DB) 1739 of 2023

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

And

In Re : Sarjina Bibi

..... petitioner

Sk. Salim
Mr. Biswajit Tiwari

..... for the petitioner

Mr. N Ahmed
Ms. Amita Gaur

..... for the State

Mr. Kallol Kr. Basu
Md. Jannat Ul Firdous

..... for OP nos. 2 and 3

1. Petitioner submits opposite party nos. 2 and 3 have misused
their liberty. A separate criminal case has been registered.

2. Learned lawyer for opposite party nos. 2 and 3 denies and
disputes the allegations. It is also contended they are on bail in the
subsequent case.

3. We have considered the materials on record. Truthfulness of
the allegations regarding misuse of liberty may be gone into in the
trial of the subsequent case. However, to ensure protection of
witness and avoidance of similar occurrence we are of the view
adequate restraints on the movement of opposite party nos. 2 and 3
is sufficient in the facts of the case. Accordingly, we direct opposite
party nos. 2 and 3 shall not enter the district of Murshidabad
except for attending court proceeding and shall provide the address
where they shall presently reside to the investigating agency as well
as the court below and shall report to the Officer-in-Charge of the

police station within whose jurisdiction they shall presently reside once in a week until further orders.

4. Trial court is directed to examine vulnerable witness at the earliest.

5. With these directions CRM (DB) 1739 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)