

01.03.2023

Item No.23
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2235 of 2021

**Farajana Bibi @ Farjana Bibi
versus
The State of West Bengal**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. Debabrata Acharyya,
Mr. Sk. Samsul Arefin ... For the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De ... For the State.

Supplementary affidavit filed on behalf of the petitioner
be kept with the record.

Learned advocate appearing for the petitioner submits
that the petitioner has been implicated in connection with the
instant case because she is the owner of the vehicle. There
are no overwhelming materials appearing against her and so
far as the other accused persons are concerned, they have
been acquitted of the charges after they faced a full-fledged
trial.

Mr. Banerjee, learned advocate appearing for the State
produces the case diary.

The document which primarily reflects, if any, the
complicity of the present petitioner is the ownership of the
vehicle which is appearing from the registering authority,
Odisha Motor Vehicle Department, Balasore. The present
petitioner was not physically present when search and
seizure were carried out. The persons who were arrested
faced the trial and they have been acquitted of the charges.

The present petitioner is a lady and without going into the merits of the case, I direct the learned Special Court that in case the lady/petitioner appears by 21.03.2023, the learned Special Court will release her on furnishing bond to its satisfaction and direct her physical appearance on the date so fixed subsequently by the learned trial court for proceeding with the trial.

No interference is made regarding the merits of the case so far as the complicity of the present petitioner is concerned.

The learned trial court, however, will afford an opportunity to the petitioner to pray for discharge at the stage of consideration of charges.

With the aforesaid observations, the revisional application being CRR 2235 of 2021 is disposed of.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)