

18.08.2023
Sl. No.12
akd
[ALLOWED]

C. R. M. (DB) 3245 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.08.2023 in connection with Bolpur Police Station Case No.346 dated 18.09.2021 under Sections 406/420/413/419 of the Indian Penal Code read with Sections 66/66C/66D/71 of the Information Technology Act, 2000. (G.R. Case No.1154 of 2021)

And

In Re: **Anupama Barik**

... .. Petitioner

Mr. Shovan Ghosh

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor

Mrs. Sonali Das

... .. for the State

1. It is submitted on behalf of the petitioner that she is in custody for over 569 days. It is further submitted there is little possibility of the trial concluding in the near future. Co-accused have been enlarged on bail. Accordingly, she prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner is the team leader and in conspiracy with co-accused had indulged in organised cyber fraud activities.
3. We have considered the materials on record. It is true that the materials disclose involvement of the petitioner in organised crime activities. She has suffered incarceration for a considerable period of time. There is little possibility of the trial concluding in the near future. Co-accused have been enlarged on bail.
4. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary and she may be enlarged on bail however, subject to strict conditions.
5. Therefore, the accused/petitioner, namely **Anupama Barik**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten

thousand only), with two registered sureties of like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Bolpur, Birbhum subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall not leave the jurisdiction of Narkeldanga Police Station except for the purpose of investigation and/or attending court proceedings and shall report to the Officer-in-charge of the police station concerned within whose jurisdiction she shall presently reside once in a week until further orders.

6. In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.
7. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)