

04.09.2023.
28.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3457 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhatpara P.S. Case No.357 of 2021 dated 01.08.2021 under Sections 363/365 of the Indian Penal Code and adding Section 376(3) of the Indian Penal Code and under Section 4/6 of the POCSO Act.

In the matter of : Jaysri Gupta @ Jayasree Gupta.

.... Petitioner.

Md. Bani Israil.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee.

...for the State.

1. Affidavit of service filed in Court today be kept on record.

Nobody appears for the minor.

2. Petitioner is in custody for 55 days. She is not the principal accused who is on regular bail. Investigation is complete. She prays for bail.

3. Learned Advocate for the State opposes the bail prayer. He contends petitioner had handed over the minor for sexual exploitation.

4. We have considered the materials on record including the statement of the minor. Petitioner is not the principal accused. Possibility of false implication cannot be ruled out. Investigation is complete.

5. Under such circumstances, we are inclined to grant bail to the petitioner.

6. Accordingly, the petitioner viz., Jaysri Gupta @ Jayasree Gupta shall be released on bail upon furnishing a bond of

Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court, under the POCSO Act, Barrackpore, North 24-Paraganas subject to condition that she 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.

7. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

8. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)