

03.10.2023.
36.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3798 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uluberia P.S. Case No.328 of 2018 dated 09.05.2018 under Sections 363/365/370A/370(4)/372/376(2) of the Indian Penal Code and Section 6 of the POCSO Act and Sections 4 and 5 of the Immoral Traffic (Prevention) Act.

In the matter of : **Bharati Sharma @ Sonia.**

.... Petitioner.

Mr. Deepak Prahladka,
Ms. Reshmi Khatun.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Manoranjan Mahato.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Victim has not supported the prosecution case.
3. In view of the aforesaid development and the period of detention suffered by the petitioner i.e. over five years, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner viz., **Bharati Sharma @ Sonia** shall be released on bail upon furnishing a bond of Rs.10,000/- with two registered sureties of like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Uluberia, Howrah 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.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)