

27.02.2023

Sl. No.117

akd

[ALLOWED]

**IN THE HIGH COURT AT CALCUTTA**

**Circuit Bench at Jalpaiguri**

**C. R. M. (DB) 116 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.02.2023 in connection with Mekhliganj Police Station Case No.15 of 2023 dated 11.01.2023 under Sections 363/365/109 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Purnima Barman***

... .. Petitioner

Mr. Bikash Singha

... .. for the petitioner

Mr. Aditi Shankar Chakraborty .. Id. Addl. Public Prosecutor

Mr. Sagnik Sankar Sikdar

... .. for the State

Affidavit of service filed in court today be kept with the record.

Nobody appears for the victim.

It is submitted on behalf of the petitioner that she is in custody for more than 40 days. It is further submitted petitioner is not the principal accused.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Petitioner is not the principal accused. Keeping in mind the extent of complicity of the petitioner in the alleged crime and the period of detention suffered by her, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Purnima Barman***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten

thousand only), 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-cum-Additional Session Judge, Mekhliganj, Cooch Behar 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.

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.

The application for bail, thus, stands **allowed**.

**(Subhendu Samanta, J.)**

**(Joymalya Bagchi, J.)**