

10.6.2024
SL No. 35
Ct No. 29
SB

CRM (A) 1751 of 2024

In Re : An application for anticipatory bail under Section 438 of the
Code of Criminal Procedure, 1973

Iti Halder
Vs.
The State of West Bengal & Anr.

Mr. Mrityunjoy Chatterjee
Mr. Akash Sarkar ... for the petitioner

Mr. Suman De
Mr. Subham Kanti Bhakat ... for the State

Mr. Debapriya Majumder ... for the de facto complainant.

1. The applicant is the mother of the principal accused.
2. The investigation is complete and charge sheet has already been filed.
3. The learned advocates for the parties have accepted that one of the petitioner was granted bail on 25.1.2024 by a co-ordinate Bench with the following observations.

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

6. Accordingly, the petitioner viz., Hritik Halder 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, Howrah subject to condition that he 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 petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.”

4. Learned counsel for the de facto complainant / victim does not opposes the prayer for anticipatory bail.
5. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
6. Accordingly, the petitioner viz., Iti Halder shall be released on bail upon furnishing a bond of Rs. 5,000/- with two registered sureties of like amount each to the satisfaction of the learned Judge, Special Court under the POCSO Act, Howrah subject to condition that she shall appear before the Trial Court under POCSO Act within a fortnight from date and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
7. In the event 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

(Uday Kumar, J.)

(Soumen Sen, J.)