

03.07.2024
Item no.58.
Court No.28.
S. De
(Allowed)

CRM (DB) No. 1608 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 14.05.2024 in connection with Nager Bazer Police Station Case No. 123 of 2023 dated 14.04.2023 under Sections 6/10 of the Protection of Children from Sexual Offences Act.

And

In the matter of : Shampa Dey. Petitioner.

Mr. Pradip Paul,
.....for the Petitioner.

Mr. Imran Ali,
Mr. Asraf Mandal, for the State.

Learned counsel for the petitioner has submitted that the petitioner is a lady and she has been in custody for about 446 days. Charge-sheet has been submitted. There is no need for further custodial detention of the present petitioner.

Learned counsel for the State has submitted before this Court that there are sufficient incriminating materials against the present petitioner. He draws our attention to the statement of the victim girl recorded under Section 164 of Cr.P.C. He has also drawn our attention to the medical report.

After considering the material on record and case diary, we find that the investigation is complete and there is no need for further detention of the present petitioner.

In view of the above and also the fact that the petitioner is a lady, she can be favoured with an order of bail.

Accordingly, we direct that the petitioner namely **Shampa Dey** 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 Protection of Children from Sexual Offences Act, Barrackpore and on further conditions that she shall remain within the jurisdiction of the concerned police station.

The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)