

21. 02.09.2024
Court
No.28 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2118 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Basirhat P.S. Case No. 888/2023 dated 23.12.2023.

And
In the matter of: - **Shilpi Baidya @ Shilpi Biswas** ...petitioner.
Mr. Jannat Ul Firdous ...for the petitioner.
Mr. Manoranjan Mahata ...for the State.

Dictated by Prasenjit Biswas, J.

1. Learned Advocate for the petitioner submits that the petitioner is in custody since for a considerable period of time and in the meantime, she gave birth to a child. In view thereof, learned Advocate for the petitioner submits that *interim* bail may be granted in favour of the petitioner.
2. Learned Advocate for the State raises objection to the bail prayer by submitting that the petitioner is a foreign national and if she is granted bail, then there is every chance of fleeing away of this petitioner. At the time of hearing he draws attention of this Court to the documents collected by the prosecution at the time of investigation.
3. It appears that charge-sheet has been filed against this petitioner for committing offence under Section 14A(b) of the Foreigners Act. Considering the materials placed before us

and the offence involved, we are not inclined to enlarge the petitioner on bail.

4. The application being CRM (DB) 2118 of 2024 is accordingly dismissed.
5. However, we direct the Superintendent of Dum Dum Central Correctional Home to ensure that all facilities including medical facilities are made available to the petitioner and the newly born child, as may be required.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)