

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

20.05.2024.
5/tkm

C.R.M. (DB) 230 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali (Jalpaiguri) P.S case no. 119 of 2017 dated 19.2.2017 under sections 370(5)/420/417/468/120B/34/201 of the IPC read with sections 75/80/81 of the Juvenile Justice (Care and Protection of Children) Act

and

Allowed

In the matter of : Chandana Chakraborty Petitioner

Mr. Sourav Ganguly
Ms. R Chakraborty
Mr. Gopal Roy

...for the Petitioner

Mr. Nilay Chakraborty
Mr. Biswarup Roy

...for the State

1. Petitioner is in custody for more than seven years. She submits inspite of direction given by the Hon'ble Apex court to conclude trial within six months, trial has not concluded. She renews her bail prayer.

2. Learned lawyer for the State submits almost all prosecution witnesses have been examined. Examination of investigating officer is in progress.

3. We have considered the materials on record. Allegations are serious. Evidence has also come on record against the petitioner. She is in custody for more than seven years. Trial has not concluded. Offences, if proved, would not attract mandatory life imprisonment.

4. Under such circumstances, we are inclined to grant bail to the petitioner however, subject to conditions.

5. Accordingly, the petitioner 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 Additional District & Sessions Judge, 1st Court, Jalpaiguri on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall remain within the jurisdiction of Kotwali (Jalpaiguri) P.S and shall not take adjournments to unnecessarily delay the trial.

6. 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.

7. The application being CRM (DB) 230 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)