

JPD-19
Ct No.01
31.07.2024
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (A) 400 of 2024
CRAN 1 of 2024

In Re: - An application for modification/relaxations of condition of order.

And

In the matter of: **Swapna Ghosh**

.... petitioner

Mr. Partha Pratim Sarkar,
Mr. Sudip Guha

... for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Biswarup Roy

... for the State

In Re: CRAN 1 of 2024

1. Learned counsel for the petitioner submits that the petitioner is an unemployed lady and due to the arrest of her husband for the same offence for which she was granted anticipatory bail, the petitioner is not being able to obtain a local surety and does not have the money to furnish the bond.
2. For such reason, it is submitted that the petitioner overstepped the four weeks' time period granted by the court granting bail for surrender.
3. Learned counsel for the State seriously opposes such prayer and submits that the allegations are of a serious nature. In particular,

regarding furnishing of registered sureties as prayed for by the petitioner, the State raises objection.

4. Upon careful consideration of the matter, we are of the opinion that in view of the circumstances of the petitioner, unless the modification sought for by the petitioner is granted, the order of anticipatory bail granted in her favour shall be rendered infructuous *ab initio*.
5. In such view of the matter, CRAN 1 of 2024 is allowed, thereby modifying the order of anticipatory bail dated May 21, 2024 to the extent that instead of furnishing two sureties of like amount each one of whom must be local, the petitioner shall be entitled to furnish registered sureties. The time for surrendering before the jurisdictional court is also extended for a week from date.

(Sabyasachi Bhattacharyya, J.)

(Prasenjit Biswas, J.)