

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

03.07.2024
Court No.1
(D/L 20)
(Allowed)

CRM (DB) 302 OF 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 27.06.2024 in connection with Mekhliganj Police Station Case No.41 of 2024 dated 05.02.2024 under Sections 366A/370 of IPC read with Section 3/5 of Immoral Traffic Prevention Act, 1956 in connection with G.R. Case No.81 of 2024.

And

In the matter of: **Suniti Debnath @ Sweety**

... Petitioner.

Mr. Biswarup Ray
Mr. Supriya Debnath

...for the petitioner

Mr. Nilay Chakraborty, Ld. APP
Ms. Sukanya Adhikari

... for the State.

Learned counsel appearing for the petitioner submits that he is in custody for more than 180 days.

It is submitted that there is no legally admissible evidence connecting the petitioner with the crime and co-accused has been granted bail.

Learned counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record as well as statements recorded under Section 164 of the Criminal Procedure Code of the victims and the medical report.

Under such circumstances, the petitioner namely, Suniti Debnath @ Sweety shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of Id. Additional Chief Judicial Magistrate, Mekhliganj, subject to the conditions that 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 in any manner whatsoever.

In the event, the petitioner fails to appear before the Trial Court without justifiable cost, the Trial Court shall be at liberty to cancel her bail in accordance with law with reference to this Court.

The application for bail is accordingly, allowed.

[MD. SHABBAR RASHIDI, J.]

(RAJARSHI BHARADWAJ, J.)