

HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

Present:

THE HON'BLE JUSTICE JAY SENGUPTA

CRR 904 of 2025

Sunanda Purkait (Mondal) and others
versus
The State of West Bengal and another

For the Petitioners

Ms. Nandita Baksi
Md. Shakeel Khan
Mr. J. Alam

For the State

Mr. Debasish Roy, Id. PP
Mr. Saryati Datta

Last heard on

22.09.2025

Judgment on

22.09.2025

JAY SENGUPTA, J:

This is an application challenging an order dated 17.02.2025 passed by the learned Sessions Judge, South 24 Parganas, Alipore in Criminal Misc. Case No.4788 of 2024 arising out of Falta Police Station Case No.281 of 2024 dated

06.10.2024 under Sections 126(2)/115(2)/74/123/ 352/ 79/3(5) of the BNS.

Learned counsel for the petitioners submits that the petitioners were granted anticipatory bail by the Sessions Court. When they went to surrender before the learned jurisdictional court, there was a protest from the Bar Association because the relative of the de facto complainant was an influenced lawyer there. However, for smooth surrender of the petitioners it is prayed that the petitioners may be allowed to surrender before the Chief Judicial Magistrate, Alipore, South 24 Parganas.

Learned Public Prosecutor representing the State expresses his surprise as to how the petitioner Nos.1 and 2 were unable to surrender before the learned court considering their stature. However, considering the predicament of the petitioners as canvassed before this Court, they may be permitted to surrender before another court.

It appears that the petitioners were finding it difficult to surrender before the learned jurisdictional court pursuant to the order passed by the Sessions Court allowing anticipatory bail to the petitioners. The Bar Association would protest as one of the members is a relative of the de facto complainant.

It would, indeed, be a very sad state of affairs that if a de facto complainant's relative is a member of the Bar, the Bar Association would protest and deter the petitioners from appearing before the jurisdictional court and taking the benefit of the anticipatory bail granted by a Court of Law to them.

In view of the above, the petitioners are granted liberty to surrender before the learned Chief Judicial Magistrate, Alipore, South 24 Parganas and furnish bail bonds within four weeks from this date. The other portions of the order passed by the Sessions Court granting anticipatory bail would remain the same.

With these observations, the revisional application is disposed of.

Urgent certified photostat copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)

