

August 18, 2025
18 ARDR

CRM (M) 930 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Tollygunge Police Station Case No. **213** of **2022** dated
8/11/2022 under Sections **120B/406/420/419/467/468/471** of
the Indian Penal Code.

And

In Re : Mrs. Bithi Ghosh

... Petitioner.

Adv. Sabir Ahmed,
Adv. Apan Saha,
Adv. Dhiman Banerjee,
Adv. Quazi Ezaz Ahmed,

... for the petitioner.

Adv. Arindam Jana,
Adv. Sumitava Chakraborty,
Adv. Yuvraj Chatterjee,

...for the defacto complainant.

Adv. Antarikhya Basu,
Adv. Suchismita Dutta,

...for the State.

Learned counsel for the petitioner submits that the petitioner is a lady and is in custody for more than five months. She has a strained relationship with her husband who is the principal accused. She was not aware of the misdeeds of her husband. An amount transferred by her husband into her account was diverted back to her husband's account on the same date. The petitioner came to learn that her prayer for anticipatory bail was rejected by this Court despite the fact that no such application was filed by her at all. She filed a second application before this Court which was found to be maintainable on the score that the first application was not filed by her. Upon consideration of the merit of the case, prayer for anticipatory bail was turned down by this Court. After such rejection, the Investigating agency sprung into action and allegedly collected several incriminating material against her. Investigation is

complete. Supplementary charge sheet has been submitted showing her to be the principal accused. Her further detention is not required. She will cooperate in trial of the case. She prays for bail.

Opposing the prayer, learned counsels for the State and the defacto complainant submit that the petitioner alongwith her husband duped an octogenarian lady on the assurance of assisting her in dealing with her property and property related cases. A forged order purportedly passed by this Court was also shown to the defacto complainant to convince her that an order was passed in her favour by this Court. The petitioner represented herself as one Dipti Sahana, cousin of the principal accused Kaustav Sahana though she is actually the wife of Kaustav Sahana. The petitioner has been identified in T.I. Parade.\

Learned counsel for the State submits that witness action shall be concluded within a year from date.

I have considered the material on record. It prima facie appears that the petitioner along with her husband duped an octogenarian lady/defacto complainant of a huge sum of money. She took a false identification before the victim lady and represented herself as the cousin of the principal accused. Her involvement in the alleged offence along with the principal accused is glaring. Charge sheet has been submitted and trial has commenced.

In view of the overwhelming material against her as well as the nature and gravity of the offence, this Court is inclined to hold that the petitioner does not deserve a favourable order at this stage.

Accordingly, the prayer for bail is rejected at this stage.

Learned trial Court is directed to expedite the trial without granting any unnecessary adjournment to either of the parties in the light of the submission on behalf of the State.

The application for bail is disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)