

03.03.2025
Item No.99
Monthly List
Court No. 26
CHC
Dismissed

CRM (DB) 4054 of 2023

In re : An application for **cancellation** of bail under Section 439(2) of the Code of Criminal Procedure, 1973, in connection with **Golf Green** Police Station Case No. 160 of 2023 dated 20.07.2023 under Sections 328/376/377 of the Indian Penal Code, 1860.

-And-

In the matter of : **X (daughter of Y)**

... ...**Petitioner**

Ms. Sagnika Banerjee, Advocate

Mr. Samrat Mondal, Advocate

... ... For the Petitioner

Mrs. Amita Gour, Advocate

Ms. Sima Biswas, Advocate

... ...For the State

Mr. Angshuman Chakraborty, Advocate

Mr. S. S. Saha, Advocate

Mr. Afrin Khan, Advocate

... ...For the opposite party no.2

1. Applicant seeks cancellation of bail granted by the jurisdictional Court on September 30, 2023.
2. Learned advocate appearing for the applicant submits that, initially jurisdictional Court rejected the prayer for grant of bail. Subsequently, the Judge-in-Charge proceeded to grant the same. She questions the propriety of the order of the granting bail.
3. State and the private opposite party are represented.

4. Charge sheet *inter alia* under Section 376 of the Indian Penal Code, 1860 was submitted before the jurisdictional Court. It is thereafter that, the court taking into consideration the period of detention proceeded to grant bail to the private opposite party.
5. De facto complainant and the private opposite party are adults.
6. Charges are yet to be framed. Police case is dated July 20, 2023.
7. In such circumstances, we are not inclined to interfere with the order granting bail to the petitioner.
8. CRM(DB) 4054 of 2023 stands **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)