

24.07.2025
Item No.25
Ct. No. 03
KS

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(R) 35 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Siliguri Women** Police Station Case No.97 of 2019 dated 13.06.2019 under Sections 376 D of the Indian Penal code read with Section 6 of the POCSO Act.

And

In the matter of: **Suman Barla**

.....Petitioner

Mr. Amit Sinha

Mr. Bikash Singha

....For the Petitioner

Dr. Arjun Chowdhury

Ms. Sunayana Parveen

....For the O.P. No.2

Mr. Aditi Shankar Chakraborty

Mr. Sourav Ganguly

.....For the State

1. Learned counsel appearing on behalf of the petitioner prays for bail on the ground of detention for more than six years.
2. It has been further submitted by the learned counsel appearing for the petitioner that on the self-same ground, the other co-accused was enlarged on bail by the Coordinate Bench on 7th July, 2025.
3. Learned counsel appearing on behalf of the petitioner has also prayed for bail on the ground of rule of parity.
4. Learned counsel appearing on behalf of the State as well as on behalf of the opposite party no.2 have opposed the prayer for bail.
5. I have perused the Case Diary. It has been submitted that the next date of trial for recording of evidence of three witnesses (CSW 9, 10 and 11) has been fixed on 28th August, 2025 to 30th August, 2025 but, it is not disputed that till 12th April, 2024, no witness was examined.

6. Regard being had to the above as well as the right of speedy trial of the accused enshrined in Article 21 of the Constitution of India, I find no other option, but to grant the bail to the petitioner.
7. Accordingly, I direct that the petitioner is being enlarged on bail upon furnishing bond of Rs.20,000 (Rupees Twenty Thousand Only) with two sureties of Rs.10,000/- (Rupees Ten Thousand Only) each, to the satisfaction of the Learned Special Judge under the POCSO Act, Siliguri subject to condition that he shall remain outside the jurisdiction of Bagdogra Police Station and shall furnish the address where he shall presently reside before the learned Trial Court, Investigation Officer and the Officer-in-Charge of the concerned police station under whose jurisdiction he shall henceforth reside. He shall appear before the learned Trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
8. In the event, the petitioner fails to comply with any of the conditions as mentioned above without justifiable cause, the learned Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
9. With this observation, the application for bail is, accordingly, allowed.
10. Accordingly, the application being, **C.R.M.(R) 35 of 2025** stands disposed of.
11. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
12. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Bibhas Ranjan De. J.)

