

17.04.2026
Serial no. 113
CT.-35
[G.S.D]

CRM (DB) 4438 of 2024

In the matter of : Sabejan Bibi @ Sobejan Bibi

... Petitioner(s)

Mr. Niladri Sekhar Ghosh
Ms. Labani Sikder
Mr. Souvik Dey

... For the Petitioner(s)

Mr. Subhamay Bhattacharya
Ms. Eshita Dutta

... For the State-respondent(s)

Mr. Uday Sankar Chattopadhyay
Ms. Sadia Parveen
Ms. Bidisha Chakraborty
Ms. Aishwarya Datta

... For the O.P.

Affidavit-in-opposition filed by the o.p. no.2 be kept with the record.

The petitioner is aggrieved by the order dated 06.11.2024 passed by the learned Additional District & Sessions Judge, 1st Court, Arambagh, Hooghly.

Learned advocate also submits that the learned court at the time of granting bail did not take into account the merits of the case but, granted interim bail and disposed of the bail application which is not permissible in law.

Learned advocate added that the court while granting bail took into account the materials appearing in the case diary which includes amongst other the materials which were seized by the police authorities at that stage including the offending vehicle being sent to the CFSL. There may be other materials available

in the case diary but there was complete non-application of mind by the learned trial court while granting bail.

However, there is force in the submission of the learned advocate appearing for the petitioner that the court instead of granting interim bail should have considered the finality and, in that case, the court should have either allowed or rejected the prayer of bail.

Learned advocate for the State submits a report which reflects that the case has been committed to the court of Sessions and the next date has been fixed on 18.07.2026 for consideration of charge. There is no post-bail misuse of liberty which is reflected in the report submitted by the State.

Having considered that more than one year four months have passed since the petitioner was granted bail, I am of the view that, at this belated stage, when charge is to be considered by the learned trial court, it will not be curtailing the liberty of the o.p. no.2 but derailing the rights of the accused in course of the trial.

Taking into account the same, I am not inclined to interfere with the order of bail being granted. However, a person cannot enjoy the interim bail for time immemorial.

Accordingly, the learned trial court would on the next date fixed, consider the finality of bail of the o.p. no.2.

With the aforesaid observations, CRM (DB) 4438 of 2024 is disposed of.

Report submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)