

Special Case No.49/2021

(CIS No.49/21)

CNR No: WBSP01-015547-2021

Present: Subhra Som Ghosal (J.O Code: WB00984)

Order No: 15 dated: 22.12.2023.

The case record has been put up today at the behest of the accused person namely Anisha Banerjee.

The case is pending for E/R of W/A.

The accused person namely Anisha Banerjee has surrendered today. Hence the accused person namely Anisha Banerjee is taken into custody and remanded to J/C.

Bail petition along with fresh Vakalatnama has been filed on behalf of the accused person namely Anisha Banerjee along with supportive documents. Copy of the same has been supplied to the Ld. Special P.P-in-Charge of this case.

Recall W/A.

Ld lawyer for the accused person submitted that bailable warrant of arrest has been issued against the accused person and today she has surrendered before this court and accordingly, she may be enlarged on bail as per condition of the warrant. It was further submitted that the accused person could not appear before this court in obedience to the summons as summons was never served upon the accused person and the warrant was issued for no fault of the accused person. It was further argued that further detention is no longer required and the accused person may be enlarged on bail on any condition.

Ld P.P-in-charge raised objection to such prayer.

Meticulously introspected the case record.

As a matter of fact, the defacto complainant is not present today but considering the fact that bailable warrant has been issued against the accused person, I do not find that any fruitful purpose will be served by insisting upon the presence of the defacto complainant and deferring the hearing of the bail petition.

I have traversed the entire gamut of this case and after such exercise I find that bailable warrant was issued against the accused person. That being the case, there is hardly any scope to curtail the personal liberty of the accused person when indeed, she is ready and willing to furnish bond as per condition imposed by this court while issuing the W/A. It is apposite to delineate that there is no material in the case record to suggest that the accused person will abscond if she is extended the leverage of bail, rather, the accused person undertook to abide by the conditions that will be imposed by this court. Hence based on the above delineations, the prayer for bail stands allowed.

The accused person may find bail on furnishing bond of Rs. 5,000/- with two sureties of Rs.2500/- each to the satisfaction of the Learned Chief Judicial Magistrate, South 24 parganas at Alipore i/d to J/C. If on bail the accused person shall stay present on each and every subsequent dates and shall not cause any hindrance in smooth progress of the trial.

To date i.e. 15.01.2024 for appearance and supply. The accused person is directed to stay present on the date fixed.

Let a copy of this order be sent to the Ld. Chief Judicial Magistrate, South 24 parganas at Alipore for information and compliance.

Typed to the dictation directly;
corrected on the system.

Additional District and Sessions Judge,
01st Court, Alipore,
South 24 parganas.

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South 24 parganas.