

Spl. Elec.147 of 2020

Order No.03
11.12.2020

Record is put up today on the prayer of Ld. Advocate for accused Borki Chouwhan along with a prayer for releasing her on bail.

Copy served upon Ld. Spl. PP.

Heard the Ld. Advocate for the accused as well as Ld. Spl. PP.

Perused the materials on record. CD is not available today. The Ld. Advocate for the accused submits that the present accused/petitioner was arrested on 06.12.2020 and thereafter she was taken into police custody and during police custody 120 electric meter was recovered from the possession of accused. He further submits that accused is female one having her lap aged about 2 years. He further submits that the accused is a resident within the jurisdiction of this court and there is no chance of her abscondence if she is released on bail.

On the other hand Ld. PP raised strong objection on the ground that CD is not available today and the offence committed by the accused is an organised offence and other persons are also involved in this case. He further submits that to trace out the other accomplices further detention of accused is very much necessary.

On perusal of the record I find that accused person was taken into police custody and during police custody recovery has already been made. More so there is no prayer from the investigating agency for further police custody of accused. Even there is no whisper in the FIR and forwarding report supporting the submission of the Ld. Spl. PP. Considering the facts as stated above and also considering the fact that accused is a female one, I am of the view that no further detention is required in this case.

Accordingly I am inclined to release the accused on interim bail of Rs.2,000/- with two sureties of Rs.1,000/- each on further condition that she will not leave the jurisdiction of this court till completion of the investigation and will co-operate with the IO in all possible way.

If on bail to-date (**21.12.2020**) for appearance, call for CD and IO's report.

Dictd & Corrtd.

By me,

Judge

Judge, Special Court & Addl. Sessions Judge
1st Court, Raiganj, Uttar Dinajpur