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31.08.2023
Ct. No 1
rrc

**CALCUTTA HIGH COURT CIRCUIT BENCH
AT JALPAIGURI**

CRM (A) 721 of 2023

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Mampi Ghosh @ Mampi Ghosh Barman**
..... petitioner

**Mr. Rohit Agarwal
Mr. Abhishek Singh
Mr. Amrit Tarafdar**

.....For the petitioner

**Mr. Kallol Acharjee
Mr. Kallol Nag**

.....For the State

Apprehending arrest in connection with Pradhan Nagar Police Station Case No. 602 of 2023 dated 10.08.2023 under Sections 419/420/468/120B of the Indian Penal Code, 1860, the present application has been preferred.

Mr. Agarwal, learned advocate appearing for the petitioner submits that the petitioner is neither the owner of the Call Center nor she was present at the place of occurrence. She has been falsely implicated and her name transpired from the statement of the co-accused persons. He further submits that the petitioner is aged about 32 years and is pregnant. In support of such contention he has

placed before us the medical certificates with copies to Mr. Nag, learned advocate appearing for the State. Let the said medical certificates, as placed, be kept on record.

He further submits that eight women were arrested in connection with the present proceedings and they were granted bail on the date they were arrested.

In the said conspectus, the petitioner may be granted anticipatory bail on any condition.

Mr. Nag, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses as recorded under Section 161 of the Code of Criminal Procedure.

He further submits that investigation is still continuing and as such the petitioner's prayer needs to be refused.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the possible extent of complicity of the petitioner in the alleged offence and taking note of the fact that she is a pregnant lady and *prima facie*, as there is no possibility that the petitioner would flee from justice, we are of the opinion that her custodial interrogation is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioner shall be released on bail

upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses.

The application for anticipatory bail, being CRM (A) 721 of 2023, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Lapita Banerji, J.)

(Tapabrata Chakraborty, J.)