

30.09.2020
Court No. 16
Item No.10
(D/L)
abhar/bdatta

CRM 7134 of 2020
in
CRAN 1 of 2020
(Via Video Conference)

(allowed) In Re: An application for Bail under Section 439 of the Code of Criminal Procedure in connection with Nalhati P. S. Case No. 141 of 2020 dated 10.08.2020 under Sections 143/341/325/326/307/186/332/333/353/489(C) of the Indian Penal Code read with Sections 25(1)(a)/27 of the Arms Act.

and

In the matter of: Hasina Bibi & Ors.

..... Petitioners

Mr. Bitasok Banerjee

.....for the Petitioners

Mr. Ranabir Roy Chowdhury.

Mr. Mainak Gupta.

..... for the State

The learned advocate for the petitioners undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up.

The application being CRAN 1 of 2020 is accordingly disposed of.

It is submitted by the learned advocate for the petitioners that they have been falsely implicated in this case pursuant to a mass petition initiated at the instance of the husband of the petitioner no. 1. According to the petitioners, the husband of the petitioner no. 1 has been roped in several cases subsequent to the emergence of the mass petition and in some cases the husband of the petitioner no. 1 has already been favoured with anticipatory bail.

The learned advocate appearing for the State opposes the prayer for bail and submits that there are materials available in the case diary justifying involvement of the petitioners with

regard to the alleged offence said to have been committed.

Our attention is drawn to the statements of the witnesses already collected in the case diary, in particular the seizure list showing recovery of improvised arms and some currency notes. There is nothing recovered from the possession of the accused persons.

Upon considering the facts and circumstances of the case and regard being had to the submissions of both the parties and bearing in mind the period of detention already suffered by the petitioners, we consider it to be a fit case where the petitioners should be enlarged on bail. Accordingly, the prayer for bail is allowed.

The petitioners, namely, Hasina Bibi, Nasima Bibi, Sabana Begam and Arjena Bibi @ Anju Bibi shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only) each, with two sureties of Rs. 5,000/- each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Rampurhat on conditions that they shall cooperate with the investigation and shall make themselves available with the Investigating Officer as and when required.

The application for bail being CRM 7134 of 2020 is allowed.

(Subhasis Dasgupta, J)

(Harish Tandon, J.)