

16.08.2021
Item no. 35
Court No.32.
S.De.
(Allowed)

(Via Video Conference)

CRM 2521 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 09.03.2021 in connection with Ashoke Nagar Police Station Case No. 781 of 2020 dated 31.10.2020 under Sections 302/201/34 of the Indian Penal Code.

And

In the matter of : Shipra Biswas.

.....Petitioner.

Ms. Minoti Gomes, Advocate,

.....for the Petitioner.

Mr. S.G. Chatterjee, Ld. P.P.,
Mr. Partha Pratim Das, Advocate,
Ms. A. Chakraborty, Advocate,

.....for the State.

The allegation against this petitioner is that after the co-accused persons committed murder of the victim, the petitioner joined them and helped them to hide the evidence. There is no charge of murder against this petitioner. The petitioner has been in custody for more than 300 days.

We have seen the material in the case diary including statements of witnesses recorded under Sections 161 and 164 of the Code of Criminal Procedure. Charge sheet has also been filed.

On an over all assessment of the material on record, the nature and gravity of allegation against this petitioner and the extent of possible complicity of the petitioner in the commission of the alleged offence, we are inclined to hold that further custodial detention of the petitioner is not necessary.

Accordingly, we direct that 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 Ld. Additional Chief Judicial Magistrate, Barasat, North 24-Parganas and on further conditions that she shall remain within the jurisdiction of the concerned police station. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)