

25.08.2021

Court No.28
Item No.14
(Allowed)

Saswata

CRM 3714 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Nischinda Police Station Case No. 45 of 2019 dated 17.03.2019 under Sections 302/201/34 of the Indian Penal Code;

And

In the matter of : **Kumkum Devi**

...Petitioner

Mr. Deepak Prahladka

...For the Petitioner

Mr. N. Ahmed, APP

Mr. Amita Gaur

Mr. N.P.Agarwal

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Nischinda Police Station Case No. 45 of 2019 under Sections 302/201/34 of the Indian Penal Code.

The petitioner is in custody for 840 days and it is submitted that co-accused person has been granted bail.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

Having considered the materials in the case diary and bearing in mind the extent of complicity of the petitioner in the alleged crime and co-accused person who is similarly circumstanced with the petitioner has been enlarged on bail, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner is directed to be released on bail upon furnishing a Bond of ₹10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, to the satisfaction of Learned Chief Judicial Magistrate, Howrah subject to the condition that during bail

she shall appear before the learned Trial Court regularly and she shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to do so without any justifiable cause, the Trial Court shall be at liberty to pass necessary order in accordance with law without any further reference to this Court.

The application for bail, being CRM 3714 of 2021, is thus **disposed of.**

(Harish Tandon, J)

(Bibek Chaudhuri,J.)