

28.01.21 In re: An application for bail under Section 439 of the Code of
(S.R.) Criminal Procedure in connection with Chanchal P.S. Case No.**993 of**
Sl.16 **2020** dated **03.11.2020** under Sections
Ct.28 **147/148/149/326/307/302/201** of the Indian Penal Code read
with Sections **25/27/35** of the Arms Act (G.R. Case No.**2465 of**
2020);

And

In re: Manefa Khatun @ Manu Bibi @ Mano @ Mano Bibi & Anr.
... petitioners.

Mr. Sourav Chatterjee
Mr. Sujoy Sarkar

... for the petitioners.

Mr. Amanul Islam

... for the de facto complainant.

Mr. Saibal Bapuli, APP
Mr. Aravi Bhattacharyya

...for the State.

Case diary, which was retained by this Court is returned to Mr.
Bapuli, learned advocate appearing for the State.

On the prayer of the learned advocate appearing for the
petitioners leave is granted to make necessary correction in the cause
title.

Learned advocate appearing for the petitioners submits that the
petitioners are in custody for 77 (seventy seven) days and dispute
arose with regard to fencing. Additionally, learned advocate submits
that the petitioners being ladies and they being not involved in the
offence, they may be released on bail by any condition, as this Court
thinks fit and proper.

The learned advocate for the State draws our attention to the
relevant pages in the case diary, which includes the seizure list, post-
mortem report and statement of the witnesses.

We have gone through the materials on record including the
charge-sheet, we find that seven witnesses have been relied on by the
prosecution and the statements under Section 164 of the Code of
Criminal Procedure in respect of two of the witnesses, namely,

Josimuddin and Gulu Md. have been relied on by the prosecution. On an appreciation of the evidence of the aforesaid two witnesses, we are of the opinion that further detention of the petitioners are unwarranted in connection with this case.

Accordingly, the petitioners, namely, **Manefa Khatun @ Manu Bibi @ Mano @ Mano Bibi and Sahin Sultana @ Umme Sahin Sultana @ Sultana Bibi**, shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Malda and on further condition that the petitioners must be available on the dates specified by the learned Trial Court and any violation of the same will entitle the learned Trial Court to cancel the bail without reference to this Court

Accordingly, the application for bail being CRM No.10810 of 2020 is allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)