

09.06.2022.
55.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1491 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harishchandrapur P. S. Case No.901 of 2017 dated 09.11.2017 under Sections 406/409 of the Indian Penal Code.

In the matter of : Marjina Khatun.

.... Petitioner.

Mr. Parvej Anam.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,

Mr. Santanu Deb Roy.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 67 days. It is submitted co-accuseds have been granted pre-arrest bail by this Court.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Co-accuseds have been granted pre-arrest bail by this Court in CRM 7000 of 2021 and CRM 7451 of 2021 respectively.

Keeping in mind the aforesaid facts and circumstances of the case and the period of detention suffered by the petitioner, we are inclined in granting bail to him.

Accordingly, 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 learned Chief Judicial Magistrate, Malda subject to

condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)