

07.07.2022.
12.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1978 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hili P. S. Case No.189 of 2021 dated 26.08.2021 under Sections 188/353/370/34 of the Indian Penal Code and Section 3 of the Prevent of Damage to Public Property Act and Section 14A(b)/14C of the Foreigners Act.

In the matter of : Heena.

.... Petitioner.

Ms. Taniya Mondal.

...for the Petitioner.

Mr. Prasun Kr. Dutta, Id. A.P.P.,
Mr. Subrata Roy.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Report is placed on record. It appears an Indian passport was issued in favour of the petitioner.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. In view of the aforesaid fact and as the statements of witnesses do not identify the petitioner as the person who physically attacked BSF personnel, we are inclined to grant bail to the petitioner.

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, Dakshin Dinajpur at

Balurghat 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.)