

22.07.2022
Sl. No.26
akd
[ALLOWED]

C. R. M. (DB) 2405 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.07.2022 in connection with Harishchandrapur Police Station Case No. 370 of 2022 dated 13.05.2022 under Sections 302/120B of the Indian Penal Code. (G.R. Case No.1127 of 2022)

And

In Re: ***Sanjeda Bibi @ Sanjeda @ Sanjeda Khatun***
... .. Petitioner

Mr. A. Sarkar
Mr. A. Dewan
Mr. S. Mukherjee

... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 60 days. It is further submitted petitioner has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record including statements of witnesses recorded under Section 164 of the Code of Criminal Procedure. Petitioner is not the principal accused. It is alleged she was a conspirator and had threatened the victim with murder. Keeping in mind the extent of complicity of the petitioner in the alleged crime and the period of detention suffered by her, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Sanjeda Bibi @ Sanjeda @ Sanjeda Khatun***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the

learned Additional Chief Judicial Magistrate, Chanchal, Malda subject to condition that the said 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 she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)