

03.01.2022

Court No.32
rpan / 03

C.R.M. 8645 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re. : **Riya Maity (Pramanik)**

– Petitioner

Mr. Sourav Chatterjee (through v.c.),
Mr. Amit Ranjan Pati,
Mr. Sunayan Ghosh,
Mr. Shamit Dutta

... for the Petitioner.

Mr. Rudradipta Nandy

... for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Ghatal Police Station Case No.294 of 2021 dated 11.08.2021 under Sections 420/406/467/468 of the Indian Penal Code, 1860 and adding Sections 120B/34 of the Indian Penal Code, 1860.

Mr. Chatterjee learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated due to political rivalry. The ingredients pertaining to criminal breach of trust and forgery do not stand satisfied against the petitioner. The principal accused, who is the petitioner's husband, has already been enlarged on statutory bail.

He further submits that responding to a notice, issued under Section 160 of the Code, the petitioner duly met with the concerned officer and cooperated with the investigation. The petitioner is a lady and is having a minor child aged about 7 years.

Upon completion of investigation charge sheet has also been submitted and as such, further detention of the petitioner, who has already suffered incarceration for about 133 days, is not necessary.

Mr. Nandy, learned advocate appearing for the State opposes the petitioner's prayer and submits that there are incriminating materials on record against the petitioner and she is involved in the alleged offence pertaining to misappropriation of about 1.5 crore. In support of such contention he has also drawn our attention to the account details of the petitioner's father.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the extent of complicity of the petitioner in the alleged offence and the period of detention, we are of the opinion that further detention of the petitioner is not warranted, more so when, *prima facie*, there is no possibility that the petitioner, who is having a minor child, would flee from justice or delay the trial by abscondence.

Accordingly, we allow this application and direct that the petitioner, namely, **Riya Maity (Pramanik)**, 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 a local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ghatal, Paschim Medinipur with further condition that she shall not leave the jurisdiction of Daspur Police Station in the district of Paschim Medinipur until further orders, save and except for attending the learned Court below on the dates specified for hearing.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel her bail, in accordance with law, without further reference to this Court.

With the aforesaid observations, the application for bail, being CRM No.8645 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J)

(Tapabrata Chakraborty, J)