

09.09.2022
Sl. No.12
akd
[ALLOWED]

C. R. M. (DB) 3060 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.09.2022 in connection with Goghat Police Station Case No.65 dated 11.02.2017 under Sections 302/201/34 of the Indian Penal Code. (G.R. Case No.319 of 2017)

And

In Re: ***Rupa Bera***

... .. Petitioner

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Bibaswan Bhattacharya

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 50 days. It is further submitted petitioner has been falsely implicated in the instant case. Co-accuseds have been enlarged on bail.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner had absconded for a considerable period of time.

In reply, it is contended petitioner is a housewife and there is no possibility of abscondence.

We have considered the materials on record. Victim misbehaved with a lady. Incident occurred in a fit of passion. Allegation against the petitioner is general and omnibus in nature. Co-accuseds have been enlarged on bail. Petitioner is a lady and possibility of abscondence is remote. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Rupa Bera***, 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, Arambagh, Hooghly 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**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)