

15.09.2022.  
35.  
as  
(Allowed)

**C.R.M. (DB) 3124 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khargram P. S. Case No.220 of 2022 dated 03.06.2022 under Sections 447/341/325/307/302/34 of the Indian Penal Code.

In the matter of : Konija Bibi @ Kanija Bibi.  
.... Petitioner.

Ms. Minoti Gomes,  
Mr. Rajat Kr. Dhar.  
...for the Petitioner.

Ms. Zareen N. Khan,  
Md. Kutubuddin.  
...for the State.

Md. Hafiz Ali.  
...for the de-facto complainant.

Learned Advocate for the petitioner submits her client is in custody for 103 days. There was a land dispute and a free fight ensued. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail.

Learned Advocate for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Incident occurred in course of a free fight. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner and as investigation is complete, 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 Additional Chief Judicial Magistrate, Kandi, Murshidabad 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.

The application for bail is, thus, disposed of.

**(Ajay Kumar Gupta,J.)**

**(Joymalya Bagchi, J.)**