

15.11.2022
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allowed

CRM(DB) No. 3974 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hogalberia Police Station Case No. 72 of 2022 dated 09.03.2022 under Sections 447/325/326/307/34 of the Indian Penal Code.

And

In Re : Rupali Ghosh petitioner

Mr. Bibaswan Bhattacharya
Mr. Asraf Mondal

.....for the petitioner

Mr. Tanmay Kumar Ghosh
Mr. Arindam Sen

..... for the State

Learned Counsel appearing for the petitioner submits she is in custody for 46 days. It is also submitted that she is not the principal accused and there was a free fight between the parties.

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

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the crime and in the light of the submission that there was a free fight between the parties, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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, Tehatta, Nadia, subject to the condition that the petitioner shall appear before the learned trial court on

every date of hearing until further orders and shall not intimidate witnesses and/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 the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)