

08.12.2022
18
sdas
allowed

CRM(DB) No. 4312 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Moyna Police Station Case No. 246 of 2022 dated 25.09.2022 under Sections 307/326 of the Indian Penal Code and charge-sheet submitted under Section 307 of the Indian Penal Code.

And

In Re : Sikha Hait petitioner

Mr. Suman De
.....for the petitioner

Mr. Prasun Kumar Datta, learned APP
Mr. Santanu Deb Roy
..... for the State

Mr. Debasis Sur
Mr. Himadri Sekhar Paul
..... for the de facto complainant

Learned Counsel appearing for the petitioner submits the victim had made indecent proposal to her. Thereafter, she was falsely implicated. She prays for bail.

Learned Counsel appearing for the State produces case diary.

Learned Counsel appearing for the de facto complainant does not oppose the prayer for bail.

We have considered the materials on record. Allegation of attempt to murder requires to be assessed in the light of the aforesaid submission made on behalf of the petitioner. Under such circumstances, we are inclined to grant bail to her.

Accordingly, we direct that the petitioner viz. Sikha Hait 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 Chief Judicial Magistrate, Purba Medinipur, subject to condition that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Siddhartha Roy Chowdhury, J.)

(Joymalya Bagchi, J.)