

25.01.2023
Sl. No.28
akd
[ALLOWED]

C. R. M. (DB) 290 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.01.2023 in connection with Ashoknagar Police Station Case No.781 of 2020 dated 31.10.2020 under Sections 302/201/34 of the Indian Penal Code. (G.R. Case No.2683 of 2020)

And

In Re: ***Rina Biswas @ Rina Mondal (Biswas)***

... .. Petitioner

Mr. Sumanta Chakraborty

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Mr. Manoranjan Mahata

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for over two years. It is further submitted there is delay in trial.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Bail prayer of the petitioner was rejected earlier on merits. However, since the rejection of bail by this court, there is no appreciable progress in the matter. Case has not even been committed to the Court of Sessions. Petitioner is a lady and there is no chance of abscondence. Keeping in mind the inordinate delay in trial, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Rina Biswas @ Rina Mondal (Biswas)***, 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 Chief Judicial Magistrate, North 24-Parganas at Barasat 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.)