

13.02.2023
Sl. No.33
akd
[ALLOWED]

C. R. M. (DB) 460 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.02.2023 in connection with Salanpur Police Station Case No.167 of 2022 dated 22.07.2022 under Sections 302/212/120B of the Indian Penal Code.

And

In Re: **Chandana Saha**

... .. Petitioner

Mr. Apurba Kumar Datta

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor

Mr. Parthapratim Das

Ms. Eshita Dutta

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 185 days. It is further submitted there is no direct evidence implicating her in the murder.

Report is placed on record. It appears from the report that co-accused was present at the place of occurrence and there were telephonic conversations between petitioner and said co-accused.

We have considered the materials on record. There is nothing on record to show petitioner was present at the place of occurrence. Apart from telephonic conversations (*contents whereof are unknown*), there are no other materials showing her complicity in the murder. In view of extent of complicity of the petitioner in the crime, period of detention suffered by her and as she is a woman, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Chandana Saha**, 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, Asansol 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.)