

15.03.2023
Sl. No.14
akd
[ALLOWED]

C. R. M. (DB) 701 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.02.2023 in connection with Baduria Police Station Case No.834 of 2015 dated 25.11.2015 under Sections 302/201/120B/34 of the Indian Penal Code. (G.R. Case No.5205 of 2015)

And

In Re: **Moslema Bibi**

... .. Petitioner

Ms. Anita Kaunda
Mr. Anubrata Dutta

... .. for the petitioner

Mr. Prasun Kr. Datta .. Id. Addl. Public Prosecutor
Mr. Pradipta Ganguli

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 99 days. It is further submitted petitioner is not the principal accused. She has been falsely implicated.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. We are informed the case has been committed. Petitioner is not the principal accused. She is a lady and there is no chance of her abscondence. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Moslema Bibi**, 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 District Judge, Basirhat, North 24-Parganas 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.)