

06.06.2023
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allowed

CRM(DB) No. 1749 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kandi Police Station Case No. 173 of 2022 dated 05.04.2022 under Sections 341/325/307/302/34 of the Indian Penal Code.

And

In Re : Lal Chehera Bibi & Ors. petitioners

Mr. Sekhar Kumar Basu, Sr. Adv.

Mr. Antarikhya Basu

Ms. Madhumita Basak

....for the petitioners

Mr. Jisan Iqubal Hossain

..... for defacto complainant

Ms. Zareen N. Khan

Mr. Asif Dewan

.... for the State

Let supplementary affidavit filed in Court be kept on record.

Learned Counsel for the petitioner submits most of the principal accused have surrendered and are in custody.

We have considered the materials on record. Keeping in mind extent of complicity of the petitioners and the development in the case i.e. apprehension of most of the principal offenders, we are of the opinion further detention of the petitioners is not necessary and they may be enlarged on bail.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad, subject to conditions that they 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 petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)