

03.07.2023.
111.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2438 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murshidabad P. S. Case No.205 of 2023 dated 20.03.2023 under Sections 363/365/34 of the Indian Penal Code and adding Section 376(2)(n) of the Indian Penal Code read with Section 6 of the POCSO Act.

In the matter of : Bhabani Roy.

.... Petitioner.

Mr. Navanil De,
Mr. R. Chakrabarty,
Mr. Srinjan Ghosh,
Mr. Subhajit Dey,
Ms. Monani Mukherjee.

...for the Petitioner.

Ms. Zareen N. Khan,
Mr. Ashok Das.

...for the State.

Affidavit of service filed in Court today be kept on record. Nobody appears on behalf of the victim.

Petitioner is the mother of the principal accused. She has been falsely implicated.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the crime, we are inclined to grant bail to him.

Accordingly, the petitioner viz., Bhabani Roy 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad subject to condition that she 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 the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)