

31.08.2023
Sl. No.21
akd
[ALLOWED]

C. R. M. (DB) 3387 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.08.2023 in connection with Domkal Police Station Case No.669 of 2022 dated 18.10.2022 under Sections 448/376(1)/323/506 of the Indian Penal Code and Section 4 of the POCSO Act.

And

In Re: ***Dipali Bibi @ Murshida Bibi***

... .. Petitioner

Mr. Kiran Sk.

... .. for the petitioner

Ms. Zareen N. Khan

Mr. Arup Sarkar

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Petitioner is not the principal accused. Principal accused is on bail. Though it is contended petitioner had misused her liberty earlier, we are of the opinion as principal accused has been enlarged on bail further detention of the petitioner is not necessary and she may be enlarged on bail too.
3. Therefore, the accused/petitioner, namely ***Dipali Bibi @ Murshida 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 Judge, Special Court under the POCSO Act, Berhampore, Murshidabad 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.

4. 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.
5. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)