

16.11.2023
as/tkm/ct 28
sl no. 19

C.R.M. (DB) 4149 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Santipur P.S case no. 579 of 2023 dated 9.6.2023 under sections 302/120B of the IPC
and

Allowed

In Re : Trisha Biswas petitioner

Mr. Sumanta Das
..... for the petitioner

Mr. Prasun Datta
Mr. Pradipta Ganguli
..... for the State

1. Petitioner is in custody for 160 days. It is submitted there is no evidence connecting the petitioner with the murder. She claims she has been falsely implicated in the case. She prays for bail.

2. Learned lawyer for the State opposes the bail prayer. He submits petitioner had illicit affair with the victim. Over this issue, he was murdered.

3. We have considered the materials on record. Case is based on circumstantial evidence. Statements of witnesses do not show petitioner was present either at the place of occurrence or was seen with the deceased prior to the incident. Whether the romantic relationship between the petitioner and the victim would constitute motive on her part to conspire with co-accused to commit the murder may be assessed during trial. She is a lady and there is no chance of her abscondence.

4. Under such circumstances, we are inclined to grant bail to the petitioner.

1. Accordingly, the petitioner 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 ACJM Ranaghat, Nadia on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. 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.

6. The application being CRM (DB) 4149 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)