

24.11.2023.
34.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4423 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Haroa P.S. Case No.168 of 2022 dated 30.05.2022 under Sections 302/201/120B/34 of the Indian Penal Code.

In the matter of : **Champa Ruidas.**

.... Petitioner.

Mr. Prithwiraj Biswas.

...for the Petitioner.

Mr. Noguive Ahmed, Id. A.P.P.

...for the State.

1. Petitioner is in custody for 550 days. She contends there is no direct evidence connecting her with the murder. She prays for bail.
2. Learned Advocate for the State opposes the prayer for bail. He submits on her leading statement bloodstained hammer was recovered.
3. We have considered the materials on record. The case is based on circumstantial evidence. No forensic report with regard to presence of blood on the alleged weapon of offence is placed on record. Whether the circumstances relied against the petitioner would lead to an irresistible inference of guilt may be assessed during trial. Petitioner is a woman and there is no chance of abscondence.
4. Under such circumstances, we are inclined to grant bail to the petitioner.

5. Accordingly, the petitioners viz., **Champa Ruidas** 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, Basirhat, North 24-Paraganas 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.

6. 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.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)