

22.12.2023

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Allowed

C.R.M. (DB) No. 4753 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khargram Police Station Case No. 389 of 2023 dated 11.10.2023 under Sections 448/302/201/120B of the Indian Penal Code.

And

In Re : Najnehar Bibi petitioner

Mr. Pratip Kumar Chatterjee

.....for the petitioner

Mr. Navani De

.....for the State

Mr. Sujan Chatterjee

Mr. S. Sinha

..... for the de facto complainant

1. Learned Counsel for the petitioner submits she is a lady and is in custody for 72 days. She is not the principal accused. She prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. Learned Counsel for the de facto complainant also opposes the prayer for bail.

4. We have considered the materials on record. Petitioner is not the principal accused. She is a lady and there is no chance of abscondence. Keeping in mind the aforesaid facts and on humanitarian consideration, we are inclined to grant bail to the petitioner.

5. Accordingly, we direct that the petitioner 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, Kandi, Murshidabad, subject to conditions that 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.

6. In the event she 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. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)