

12.06.2023

Ct.No. 1

Item No. 13

Sb / Saswata

Rejected

***CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI***

C.R.M. (DB) 260 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Jaigaon PS case no. 18/2022 dated 14.01.2022 under Sections 32/120B of the Indian Penal Code, 1860

And

In the matter of : **Rahela Sultana**

...petitioner

Mr. Sudip Guha

...For the petitioner

Mr. Niloy Chakraborty

Mr. Biswarup Roy

...For the State

1. Learned Counsel for the petitioner submits that the petitioner is languishing in custody for 510 days and she has been falsely implicated in the instant case.
2. Learned Counsel for the prosecution submits that the petitioner conspired with the principal accused to murder the wife of the principal accused and on the basis of her leading statement recorded under Section 27 of the Indian Evidence Act, the offending weapons have been recovered from the house of the petitioner.
3. Considering the materials available in the case diary, nature of involvement of the petitioner in commission of the alleged offence and the other incriminating materials implicating the petitioner in commission of the offence,

we are of the opinion that this is not fit case where the petitioner shall be granted bail at this stage.

4. The application for bail is accordingly **rejected**.
5. CRM (DB) 260 of 2023 is **disposed** of.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)