

15.01.2024
as/tkm/ct 28
sl no. 64

C.R.M. (DB) 94 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bamongola PS case no. 106 of 2023 dated 16.7.2023 under sections 302/120B/34/201IPC

and

Allowed

In Re : Sharmila Mardi petitioner

Mr. A Karmakar
Mr. A K Bhowmick

..... for the petitioner

Mr. Mr. G Wilson

..... for the State

1. Petitioner is in custody for 180 days. It is submitted she is not the principal accused. She has been falsely implicated in the case. She prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Materials on record show that the petitioner played role in disposal of the body of the deceased. Keeping in mind the extent of complicity of the petitioner in the crime and as there is no chance of abscondence we are inclined to grant bail to the petitioner.
4. 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 CJM, Malda 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application being CRM (DB) 94 of 2024 is disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)