

30.01.2024
tkm/ct 28
sl no. 43

C.R.M. (DB) 267 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Duttapukur PS case no. 135 of 2021 dated 3.3.2021 under sections 302/34 IPC
and

Allowed

In Re : Anima Das petitioner

Mr. A K Chowdhury
Ms. O Chowdhury for the petitioner
Mr. R Sengupta for the State

1. Petitioner is a lady and she is in custody for about three years. Co-accused Panchu Gopal Dey is on bail. She prays for bail.
2. Learned layer for the State opposes the bail prayer.
3. We have considered the materials on record including the statement of witnesses. Petitioner was present at the place of occurrence and had pushed the head of the victim to the ground. But she did not assault the victim. She stands on the same footing with co-accused Panchu Gopal Dey who is on bail. Keeping in mind the extent of complicity of the petitioner in the crime and as she is a lady and there is no chance of her 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 ACJM Barasat 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) 267 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)