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CRM (DB) No. 435 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Basirhat Police Station Case No. 292 of 2022 dated 10.05.2022 under Section 14 of the Foreigners Act.

In Re : Chumki Gharami

Mr. Sumanta Chakraborty
....for the petitioner

Mr. Pinak Kumar Mitra
.... for the State

1. Learned Counsel for the petitioner submits co-accused is on bail. Accordingly, she prays for bail.
2. Report filed on behalf of the State be placed on record.
3. It appears from the report that the name of the petitioner is not appearing in the voters' list. There may be myriad reasons why name of the petitioner is not appearing in the voters' list. It is undeniable petitioner possesses a voter's identity card. Co-accused is on bail. Under such circumstances, we are inclined to grant bail to the petitioner.
4. 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 District and Sessions Judge, Fast Track 1st Court, Basirhat, North 24 Parganas, subject to

conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)