

08.03.2024
Sl. No.40
akd
[ALLOWED]

C. R. M. (DB) 760 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.02.2024 in connection with Raninagar Police Station Case No.415 of 2020 dated 21.10.2020 under Sections 326/302/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 326/307/302/34 of the Indian Penal Code. (G.R. Case No.3281 of 2020)

And

In Re: ***Rekha Mandal @ Rekha Mondal***

... .. Petitioner

Mr. Soumik Ganguly
Md. Golam Nure Imrohi

... .. for the petitioner

Ms. Amita Gaur

... .. for the State

1. It is submitted on behalf of the petitioner that she is in custody for more than 400 days. Co-accused have been enlarged on bail. Accordingly, she renews her prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits seventeen witnesses have already been examined.
3. We have considered the materials on record. Petitioner stands on the same footing with co-accused who have been enlarged on bail. Though seventeen witnesses have been examined, prosecution proposes to examine another five witnesses. Possibility of conclusion of trial in the near future is bleak. There is no chance of abscondence. Keeping in mind the aforesaid facts, period of detention suffered by the petitioner and as she is a lady, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Rekha Mandal @ Rekha Mondal***, be released on bail upon furnishing a bond of Rs.10,000/-

(Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad subject to condition that the said 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.

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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)