

10.06.2024
Item no.33.
Court No.28.
S. De

CRM (DB) No. 1573 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 10.05.2024 in connection with Chanchal Police Station Case No. 1471 of 2022 dated 20.12.2022 under Sections 341/323/325/307/302/34 of the Indian Penal Code.

And

In the matter of : Lutfa Bibi & Anr.Petitioners.

Mr. Sagar Saha,for the Petitioners.

Mr. Rudradipta Nandy,
Ms. Nandini Chatterjee,for the State.

The petitioners pray for bail on the ground of parity. They say that that they have been in custody for 83 days. The principal accused being one Sultan Ali @ Sultan was granted bail by a Co-ordinate Bench by the order dated July 20, 2023 passed in CRM (DB) 2875 of 2023. The charge-sheet has been filed upon conclusion of the investigation. No useful purpose will be served by further detaining the petitioners in custody.

Learned advocate for the State opposes the prayer for bail.

She says that there is sufficient incriminating material in the case diary against the petitioners.

We have considered the material-on-record and the rival contentions of the parties. The principal accused has been enlarged on bail. The petitioners are ladies and there does not appear to be much chance of their absconsion.

On an overall assessment of the material-on-record and the facts and circumstances of the case, we are inclined to allow this application.

Accordingly, we direct that the petitioners, namely **Lutfa Bibi and Golapsha Bibi @ Golap Saha Bibi** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chanchal and on further conditions that they shall remain within the jurisdiction of the concerned police station.

The petitioners 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 and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

