

31.7.2024
Ct. No. 06
SL No. 54
S.De/
Tanmoy

C.R.M. (DB) 2239 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dhubulial** P.S. Case No. 279 of **2023** dated 12.06.2023 under Sections 341/323/313/34 of the Indian Penal Code.

And

In the matter of: Silpa @ Silpa @ Silifa Bibi

Mr. Prabir Mazumder ...for the Petitioner

Mr. Rana Mukherjee, APP
Mr. Karan Bapulifor the State

1. Petitioner submits there was a free fight between the parties. Both the parties suffered injuries. Petitioner is in custody for over 127 days. Investigation is complete. Accordingly, she prays for bail.
2. Learned advocate for the State submits petitioner and others had assaulted a pregnant lady leading to miscarriage.
3. We have considered the materials on record. A free fight had ensued between neighbours. Both the parties suffered injuries. Unfortunately, the victim suffered miscarriage. Petitioner is in custody for over 127 days. Investigation is complete. There is no chance of her abscondence.
4. Under such circumstances we are inclined to enlarge the petitioner on bail.
5. Accordingly, we direct 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 Chief Judicial Magistrate, Nadia, Krishnagar subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel her bail without any further reference to this Court.
7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)