

05.
Court
No.28

06.09.2024

(Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2241 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Dankuni** Police Station Case No. **248/2020** dated **14.12.2020** under Sections **302/34** of the Indian Penal Code, 1860. Charge-sheet no.65/2021 dated 02.03.2021, submitted under Sections **302/34** of the Indian Penal Code, 1860.

And

In the matter of: - **Shyamali Sarkar** ...petitioner.

Ms. Jeenia Rudra ...for the petitioner.

Mr. Anand Keshari

Mr. Asif Dewan ...for the State.

Dictated by Arijit Banerjee, J.

1. Depositions of the witnesses, who have already been examined by the learned Trial Court, have been shown to us.
2. On an overall consideration of the material and evidence on record and considering that the petitioner is in custody for three years and eight months and early conclusion of the trial looks unlikely, we are inclined to allow the petitioner’s prayer for bail.
3. Accordingly, we direct that the petitioner, namely, **Shyamali Sarkar** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate,

Serampore, Hooghly, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

4. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.
5. The application for bail being CRM (DB) 2241 of 2024 is accordingly disposed of.
6. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)