

18.11.2024
Item no. 28.
Court No.29.
AB
(Allowed)

CRM (DB) 2671 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raninagar Police Station Case No.159 of 2024 Dated 16.03.2024 under Section 364/365/302/120B of the Indian Penal Code

And

In the matter of : Nagisa Bibi @ Nargisha Bibi @ Anu

.....Petitioner.

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bosefor the Petitioner.

Mr. Anand Keshri,
Ms. Madhumita Basakfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that she has been falsely implicated in this case. On the basis of the allegation that there was a relationship between the petitioner and the victim person, she has been implicated. There is no eyewitness to the alleged murder. This is not also a case of last seen together. She is in custody since March 18, 2024. She prays for bail.
2. Opposing the prayer for bail, learned State Counsel draws our attention to the material in the case diary. We have seen statements of witnesses recorded under Section 161 Cr.P.C. Investigation is complete. Charge

sheet has been submitted. The petitioner, a married lady, is in judicial custody for about eight months.

3. On an overall assessment of the material on record and the possible extent of complicity of the petitioner in the alleged crime, we are of the view that further custodial detention of the petitioner is not necessary.
4. Accordingly, we direct that the petitioner, namely **Nagisa Bibi @ Nargisha Bibi @ Anu** 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 Chief Judicial Magistrate, Lalbagh, Murshidabad, and on further conditions that she shall not leave the jurisdiction of the concerned police station until further orders.
5. The 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 and/or commit any cognizable offence in any manner whatsoever.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
7. The application for bail is, accordingly, allowed.

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)