

48. 10.09.2024
Court
No.6 (Tanmoy)

Allowed

CRM (DB) 2818 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Hariharpara** Police Station Case No. **208/2024** dated **10.04.2024** under Section **326A** of the Indian Penal Code. Charge-sheet submitted under Sections **326A/120B** of the Indian Penal Code.

And

In the matter of: - **Sumita Das Mondal @ Sumita Das @ Sumita Mondal**

Mr. Kingsuk Mondal ...petitioner.
Ms. Zareen Nasema Khan ...for the petitioner.
Ms. Sanjida Sultana ...for the State.

1. Learned lawyer for the petitioner submits petitioner is in custody for 140 days. She is not the principal accused. She prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record including the statements of witnesses. Petitioner was present at the place of occurrence but the acid was thrown by a co-accused.
4. Keeping in view the extent of her involvement in the crime and as she is a lady, we are inclined to enlarge her on bail.
5. Accordingly, we direct the petitioner, namely, **Sumita Das Mondal @ Sumita Das @ Sumita Mondal** 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, Murshidabad at Berhampore, subject to 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.)