

13.12.2024
Sr. No. 29
Ct. No. 28.
AB
(Allowed)

C.R.M. (DB) 3760 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 Palashipara Police Station Case No.264 of 2024 Dated 26.05.2024 under Sections 341/302/120B/34 of the Indian Penal Code

In the matter of : **Mallika Bibi @ Malika Bibi**

...Petitioner.

Mr. Debabrata Roy,
Mr. Souvik Sen

.....For the Petitioner.

Mr. Debasish Roy, Id. PP
Mr. Arijit Ganguly
Mr. Koushik KunduFor the State.

1. Heard learned Advocates for the parties.
2. Petitioner submits she is a lady and is in custody for 192 days. She has been falsely implicated. She prays for bail.
3. Learned lawyer for the State contends victim was dragged into the house of accused Ijarul Sk. and all the accused including petitioner assaulted her.
4. We have considered the materials on record. Petitioner is not named in the first information report. Her name transpires from statements of son and wife of the deceased. They contend the victim was dragged into the house of Ijarul Sk., tied to a tree and assaulted. All the accused including petitioner participated in the assault. Petitioner is a lady and wife of one of the co-accused Monirul Sk. who is in custody. Possibility of her false

implication owing to grudge cannot be ruled out. There is no chance of abscondence. Hence, we are inclined to enlarge the petitioner on bail.

5. Accordingly, the petitioner, namely, **Mallika Bibi @ Malika Bibi** 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 at Krishnagar, subject to condition that she shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.
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 in accordance with law without further reference to this Court.
7. This application for bail is, thus, disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)