

15. 24.03.2025
Court
No.29 (Pritam)
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (DB) 169 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Nalhati** Police Station Case No.**218/2024** dated **02.05.2024** under Sections **302/34** of the IPC, 1860.

And

In the matter of: - **Sima Mal.**

...petitioner.

Mr. Angshuman Chakraborty,
Mr. Shashanka Sekhar Saha

...for the petitioner.

Mrs. Rituparna Ghosh,
Ms. Trisa Rakshit

...for the State.

Dictated by Arijit Banerjee, J.

1. Report filed by the State be kept with the records.
2. We find that on March 5, 2025, which was the date fixed for framing of charge, the charge was not framed. On March 18, 2025, also the charge was not framed. The petitioner is in custody for about a year. There are 21 charge-sheet named witnesses. Trial has not begun. Nobody can say when the trial will conclude. The case is based on circumstantial evidence. There is no eye-witness to the alleged incident of murder.
3. In view of the aforesaid and also considering that she is a lady, we are inclined to allow the petitioner's prayer for bail.

4. Accordingly, we **allow** the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Sima Mal.** shall be released on bail upon furnishing a personal bond of Rs.10,000/- (Rupees Ten Thousand) to the satisfaction of learned *A.C.J.M, Rampurhat, Birbhum*. 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 the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this court.
7. The application for bail being CRM (DB) 169 of 2025 is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)