

08
25.04.2025
Ct.No.34
b.das
Allowed

C.R.M. (R) 8 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Ratua P.S. Case No. 372 of 2024 dated 30.06.2024 under Sections 420/468/471/34 of Indian Penal Code adding Section 409 of IPC.

And

In Re : **Sharbani Chatterjee**

... Petitioner.

Mr. S. S. Roy

Mr. Kaushik Choudhury

... for the Petitioner.

Ms. Anasuya Sinha

Mr. Karan Bapuli

... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than 5 months.

Learned counsel for the petitioner submits that according to the FIR, the de facto complainant was asked to deposit money in the account of the petitioner by the petitioner's husband for the purpose of securing a job for him with the Central Reserve Police Force. The petitioner has no nexus with the alleged transactions and only her account was used by her husband for the purpose.

Learned counsel for the State opposes the prayer and submits that it is improbable that there were huge transactions in the account of the petitioner beyond her knowledge. The petitioner is also a beneficiary to the said transactions.

I have perused the material on record. It prima facie appears that the petitioner's husband instructed the de facto

complainant to deposit huge amount of money in the bank account standing in the name of the petitioner.

There is no prima facie evidence to indicate that the petitioner was aware of such transactions or is a beneficiary to the same. Whether the petitioner has any direct nexus with the alleged offence shall be assessed by the learned trial Court at the appropriate stage of the proceeding.

Considering the material available on record as well as extent of complicity of the petitioner in the alleged offence this Court is of the view that further detention of the petitioner is not required and she may be released on bail.

Accordingly, prayer for bail is allowed.

The petitioner **Sharbani Chatterjee** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Malda subject to condition that she shall appear before the learned trial Court on every date of hearing. She shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date without justifiable cause, the learned trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail is thus disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)