

16.07.2025

Item No.08

Ct.No.34

rc.

Allowed

C.R.M. (M) 785 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pandua Police Station Case No. 764 of 2024 dated 12.09.2024.

And

In Re : **Isma Bibi @ Shekh Isma Bibi**

... Petitioner

Mr. Shibaji Kumar Das

Ms. Nilanjana Sarkar

Mr. Aniket Kanrar

... for the Petitioner

Mr. Debasish Ray

Ms. Anasuya Sinha

Mr. Santanu Talukdar

... For the State

Heard learned counsels for the parties.

The petitioner seeks parity with the co-accused, Reshma Khatun who has been granted bail by this Court earlier.

Learned counsel for the State opposes the said prayer.

I have considered the material on record. The petitioner is a lady. She does not appear to be the principal assailant. She is in custody for more than two hundred days. Charge sheet has been submitted. No specific overt act has been attributed to her.

In view of the above, this Court is inclined to hold that the petitioner is similarly circumstanced with the co-accused on bail and deserves the same benefit.

Accordingly prayer for bail is allowed.

The petitioner **Isma Bibi @ Shekh Isma Bibi** 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, Hooghly 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 adhere to any of the conditions as mentioned above 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.

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

(Suvra Ghosh, J.)