

31.10.2025
Item No.16
Ct. No. 446
nb
(allowed)

CRM(M) of 1787 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with
Harishchandrapur Police Station Case No.**187** of **2020** dated
10.03.2024 under Sections **302** of the IPC.

And

In the matter of Reji Bibi .

..... Petitioner

Mr. Soupal Chatterjee,
....For the Petitioner

Mr. Anand Keshri,
Mr. Debanik Das,
....For the State

1. Heard the submission of both the learned advocates appearing on behalf of the petitioners as well as for the prosecution.
2. Perused the Case Diary.
3. The petitioner is in custody for 6 years and she has come with the prayer for bail.
4. Learned advocate for the Prosecution has raised strong objection.
5. On perusal of the case record it appears that on May 15, 2025, the coordinate Bench has refused to entertain the bail application when out of 12 witnesses 6 were examined.
6. On a careful perusal of the facts and circumstances and the nature of allegation that the matter is serious and *prima facie* involvement of the petitioner also cannot be denied. At the same time, it is stated that since the last witness was examined as P.W.6 and none has been examined so thereafter till May, 2025, there is no substantial progress in trial as of now only another witnesses has been examined that is C.S.W.

7, which prima facie shows that there is prolonged delay in the trial.

7. It further transpires that, there are four witnesses are yet to be examined, and almost all the independent witnesses have been examined in this case. Therefore, possibility to induce threat or tamper with the evidence does not arise.
8. Therefore, considering the entire circumstances of the case and prolonged incarceration by the person who is lady, and considering the delay in progress of trial and also that there is any possibility of early conclusion of trial, this Court is inclined to allow the prayer.
9. Accordingly, petitioner shall be released upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each one of whom must be local, to the satisfaction of the learned ACJM, Chanchal, Malda and on condition that she shall appear before the trial court on every date of hearing and shall not intimidate witnesses nor tamper with evidence in any manner whatsoever and on further condition that the petitioner shall not enter into the jurisdiction of concerned Police Station until further orders and shall submit his address where she shall reside, to the officer in charge of the concerned Police Station.
10. In the event the petitioner fails to appear before the trial court, the trial court shall be at liberty to cancel her bail bond without further reference to this Court before the jurisdictional Court on the dates fixed for appearance and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court

11. Thus, the application for bail in respect of petitioner is allowed.
12. Case Diary be returned.
13. Accordingly, the application being, **CRM(M) of 1787 of 2025** stands disposed of as allowed.
14. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
15. Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(CHAITALI CHATTERJEE (DAS), J.)