

24.02.2025
Item no. 29.
Court No.29.
AB
(Allowed)

CRM (DB) 70 of 2025

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 Contai Women Police Station Case No.35 of 2020 Dated 28.04.2020 under Section 498A/304B/34 of the Indian Penal Code

And

In the matter of : Moseda Bibi @ Maseda Bibi

.....Petitioner.

Mr. Navanil De,
Mr. Subhrajit Dey
Ms. Gopa Das for the Petitioner.

Mr. Md. Adil Badr,
Ms. Sima Biswas for the State.

Dictated by Arijit Banerjee, J.

1. Status Report filed by the State, be kept with the records.
2. We find from the report that 7 out of 13 charge sheet named witnesses have been examined. All the charge sheet named witnesses i.e. six more witnesses will be examined. We further see that the petitioner is in custody for about four years and nine months. The delay in progress of the trial cannot be attributed to the petitioner, to any extent.
3. Considering the period of detention of the petitioner, who is a lady, aged about 32 years, coupled with the fact that an early conclusion of the trial seems improbable, without touching the merits of the case and solely on the touchstone of Article 21 of the Constitution

of India, we are inclined to allow the petitioner's prayer for bail.

4. Accordingly, we direct that the petitioner, namely **MOSEDA BIBI @ MASEDA 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 Additional Chief Judicial Magistrate, Contai, Purba Medinipur, and on further conditions that she shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
6. The application for bail is, accordingly, allowed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

