

27 30.05.2024
rkd/ Ct. No.08
cp (Allowed)

C.R.M. (DB) 1739 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **28/05/2024** in connection with **Bharatpur** P.S. Case No. **104 of 2024** dated **27/04/2024** under Sections **341/325/326/307/506/34** of the India Penal Code and Section **9B** of the Indian Evidence Act.

And

In the matter of: Mannihar Bibi @ Mene Bibi & Anr.
....petitioners.

Mr. Kallol Kumar Basu,
Md. Jannat Ul Firdous
...for the petitioner.

Mr. Rana Mukherjee,
Mr. Aslam Parvez
...for the State.

Petitioner No.1 is in custody for 32 days and petitioner No.2 is in custody for 30 days.

Learned advocate appearing for the petitioners submits that the injuries complained of do not relate to any explosives used. However, the same may relate to physical assault by means of iron rod, bamboo stick etc. and the same were not at the instance of the present petitioners who are ladies.

Learned advocate appearing for the State opposes the prayer for bail and submits that large number of persons including the petitioners were involved in the commission of alleged offence. It has also been submitted that there are grievous injuries and certain explosives were recovered at the instance of one of the accused petitioners.

We have considered the materials in the case diary and having regard to the period of detention of the petitioners being ladies, we are of the opinion that further detention of the

petitioners is not necessary and they may be granted bail.

Let the petitioners be released on bail upon furnishing a Bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Kandi, Murshidabad subject to the condition that if on bail, they shall leave the jurisdiction of the district Murshidabad only after informing the investigating officer of the case as the investigation of the case is in progress and they shall not intimidate witnesses or tamper with evidence in any manner whatsoever. Learned Additional Chief Judicial Magistrate, Kandi, Murshidabad shall be at liberty to impose any further condition if he deems fit and proper for ensuring availability of the accused persons in connection with the instant case.

In the event the petitioners fail to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application being **CRM (DB) 1739 of 2024** is, thus, allowed.

Parties shall act on server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Tirthankar Ghosh, J.)