

18.09.2020

COURT NO. 19
ITEM NO. 09
das/nandy

**CRM 6729 of 2020
with
CRAN 1 of 2020**

(PARTLY ALLOWED)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.09.2020 in connection with Raninagar Police Station Case No. 267 of 2020 dated 26.07.2020 under Sections 498A/302/34 of the Indian Penal Code.

And

In the matter of : **Sagora Bibi & Ors.**

...Petitioners

Mr. Ali Ahsan Alamgir, Advocate

...for the Petitioners

Ms. Sukanya Bhattacharya, Advocate

Ms. Manisha Sharma, Advocate

...for the State

Petitioners undertake to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application being **CRAN 1 of 2020** is accordingly **disposed of.**

Learned Advocate for the petitioners submits that the petitioners have been arrested immediately after registration of the FIR and since then they are in custody. According to the learned Advocate, petitioner no. 1 is the mother-in-law while petitioner no. 2 is the brother-in-law and the petitioner no. 3 is the father-in-law of the deceased. Additionally, the learned Advocate submits that going by the nature of the allegations and the period of detention, the petitioners may be released on bail.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the fateful incident occurred within five years of marriage and there are allegations against all the three petitioners. Learned Advocate also draws attention of this Court to the post-mortem report and the statement of the witnesses.

We have perused the materials-on-record including the

statements, the post-mortem report and the nature of allegations contained therein. Having considered the aforesaid materials, we are of the opinion that the petitioner no. 1, namely Sagora Bibi and the petitioner no. 3, namely, Saidul Sk., are entitled to be released on bail. So far as the prayer for bail in respect of the petitioner no. 2, namely **Ripon Sk.**, the same is **rejected** at this stage.

Accordingly, the prayer for bail in respect of the petitioner no. 1, namely, **Sagora Bibi** and the petitioner no. 3, namely, **Saidul Sk.**, are **allowed**.

Therefore, the petitioner no. 1, namely, **Sagora Bibi** and the petitioner no. 3, namely, **Saidul Sk.**, shall be released on bail upon furnishing bond of Rs.10,000/- each, with two sureties of Rs.5,000/- each, one of whom must be local to the satisfaction of learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad subject to the condition that the petitioner no. 3, namely, **Saidul Sk.**, shall meet the Investigating Officer once a fortnight until further order.

However, the prayer for bail in respect of the petitioner no. 2, namely **Ripon Sk.**, is **rejected**

The application being **CRM 6729 of 2020** is thus **partly allowed**.

(Tirthankar Ghosh, J)

(Harish Tandon, J)