

09.12.2020

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CRM 9390 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat P.S. Case No.196 of 2020 dated 25.09.2020 under Sections 346/326/341 of the Indian Penal Code and adding Section 304 of the Indian Penal Code.

And

In the matter of: Anju Sutradhar

....Petitioner.

Mr. A. Chakraborty

...for the Petitioner.

Mr. Rana Mukherjee

Ms. Sujata Das

...for the State.

It is submitted on behalf of the petitioner that there was a sudden quarrel between the cousins and the deceased suffered heavy injury and unfortunately he died. Act was not a pre-meditated one. She is in custody for 72 days.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner had dealt the fatal blow on the victim.

We have considered the materials on record. Statement of witnesses show that the incident was preceded by a sudden quarrel. Whether the act of the petitioner was intentional or not may be assessed at the appropriate stage of the proceeding. However, in the facts and circumstances of the case and the period of detention suffered and as the petitioner is a housewife, we are of the opinion that petitioner may be granted bail.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a 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 ACJM, Ranaghat, Nadia subject to condition that the petitioner 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 in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)