

22.02.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with **Ghola** Police Station Case **No.289**
Sl.45 **of 2019** dated **18.07.2019** under Section **306** of the Indian Penal
Ct.28 Code (G.R. Case **No.3852 of 2019**);

And

In re: Shilpa Acharjee nee Adhikary @ Shilpa Adhikary @ Shilpi
... petitioner.

Mr. Nilardi Sekhar Ghosh

Ms. Srimoyee Mukherjee

... for the petitioner.

Ms. Sukanya Bhattacharya

Md. Kutubuddin

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The petitioner married the deceased in the year 2012. Out of the said wedlock one male child was born, who is presently seven years of age. Subsequent thereto, the petitioner had to leave her matrimonial home as she was tortured by her in-laws. It has been stated in the complaint that the petitioner had an extramarital relationship and as a consequence thereof, her husband committed suicide. However, in the charge sheet there is only one accused being the petitioner. He further submits that upon completion of investigation charge sheet has also been filed and as such, further detention of the petitioner, who is in custody for 66 (sixty six) days is not necessary. He further submits that the petitioner has preferred an application under Section 25 of the Guardians and Wards Act, 1890 and the same is still pending.

The learned advocate appearing for the State opposes the petitioner's prayer for bail and draws our attention to several documents in the case diary.

We have perused the materials on record. It appears that the petitioner has a minor child and an application preferred by the petitioner under the Guardians and Wards Act is pending.

Having heard the learned advocates and considering the petitioner's prayer in the light of the facts and circumstances of the case, we find no justification towards further detention of the petitioner.

Accordingly, the petitioner, namely, **Shilpa Acharjee nee Adhikary @ Shilpa Adhikary @ Shilpi**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the Additional Chief Judicial Magistrate, Barrackpore.

Accordingly, the application for bail being CRM No.493 of 2021 is allowed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)