

23.03.2021

Item No.93

Ct.No.28

Subha

Allowed

C.R.M. 1050 of 2021

(Via Video Conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Dankuni Police Station Case No. 228 of 2019 dated November 19, 2020 under Sections 498A/325/326A of the Indian Penal Code (G. R. Case No. 1745 of 2020).

In the matter of : **Monika Das** ... Petitioner.

Mr. Gourav Purkayastha
Mr. Arup Kumar Chatterjee
Mr. Pinaki Brata Ghosh
Mr. Santanu Roy ... For the Petitioner.

Mr. Saibail Bapuli
Mr. Aarani Bhattacharyya
... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Dankuni Police Station Case No. 228 of 2019 dated November 19, 2020 under Sections 498A/325/326A of the Indian Penal Code (G. R. Case No. 1745 of 2020).

It is a case of acid attack on the body of the victim lady who suffered grievous injuries both on her face as well as on the eyes. The medical papers annexed to the case diary

would reveal the complicity of the offence having committed by the husband of the victim girl, who is already in custody for more than 120 days.

According to the learned advocate appearing for the State though the acid was thrown on the face and eyes of the victim lady by the husband, but the mother also caused injury on her with the use of a wicket.

After perusing the medical papers and the statement of the victim lady recorded under Section 164 of the Code of the Code Procedure, we find direct complicity of her husband and the role of the mother-in-law i.e., the present petitioner does not appear to be on the same pedestal that of her son. We, therefore, are inclined to release the present petitioner on bail.

Accordingly, we direct that the petitioner namely, **Monika Das** 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 Additional Chief Judicial Magistrate, Serampore, Hooghly to the condition that the petitioner shall not tamper with the evidence in any manner whatsoever; the petitioner shall not intimidate the witnesses; the petitioner shall meet the Officer-in-Charge of the concerned police station on every alternative day and shall also attend the Court on each day of its listing. It is made clear that failure to attend the Court on a solitary day

without any justifiable reason shall disentitle the petitioner to the privilege of bail. It shall be open to the learned Sessions Judge to cancel the bail without any further reference to this Court.

The application for bail, being CRM 1050 of 2021, 21 is thus disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)