

26.08.2021
Item no.24.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 2403 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 04.03.2021 in connection with Chanchal Police Station Case No.386 of 2017 Dated 2.7.2017 under Sections 498A/302/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act

And

In the matter of : Mabuda Bewa

.....Petitioner.

Mr. Arup Sarkarfor the Petitioner.

Mr. S. G. Mukherjee, ld. PP,
Ms. Faria Hossain,
Mr. Aniket Mitrafor the State.

The petitioner is the mother-in-law of the victim lady and is in custody for about three years. The petitioner submits that the sister-in-law of the victim lady who stands on the same footing as the petitioner has been granted bail by this Court earlier.

The State opposes the prayer for bail and refers to the material in the case diary.

We have considered the material in the case diary. The petitioner is in custody for a considerable period of time. The sister-in-law of the victim, who is a co-accused in this case and

similarly circumstanced with the petitioner, has been granted bail by a Coordinate Bench of this Court.

In view of the material in the case diary, period of detention of the petitioner as also the fact that the co-accused has been granted bail earlier and charge sheet has been submitted, we are inclined to extend the same privilege to the petitioner also.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chanchal, and on further conditions that she shall remain within the jurisdiction of the concerned police station until further orders.

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 adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)