

28.06.2021

(Via Video Conference)

Court No. 28
Item No. 53
Suvayan/sb

CRM 2821 of 2021

(bail - allowed)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 18.03.2021 in connection with Santipur Police Station Case No. 504 of 2020 dated 04.11.2020 under Sections 306/34 of the Indian Penal Code.

and

In the matter of: **Supriya Kundu.**

..... Petitioner

Mr. Pawan Kumar Gupta, Advocate

Mr. H. Ghosh, Advocate

Ms. Ankita De, Advocate

.....for the Petitioner

Mr. Saswata Gopal Mukherjee, Ld. PP

Ms. Faria Hossain, Advocate

Ms. Baisali Basu, Advocate

..... for the State

Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioner has filed the instant application for bail in connection with Santipur Police Station Case No. 504 of 2020 dated 04.11.2020 under Sections 306/34 of the Indian Penal Code.

The learned advocate for the petitioner submits that the petitioner has been falsely implicated in this case as there is no overt act attributable to the petitioner. It is further submitted that the husband of the petitioner committed suicide at his work place.

The learned advocate for the State raises objection against the prayer for bail drawing our attention to the statement of some witnesses before whom the deceased victim disclosed as to how he received torture, cruelty in hands of his wife.

We have considered those statements and the Post Mortem

Report of the deceased. The statements made against the petitioner are omnibus in nature and without revealing any specific overt act as to the commission of torture, cruelty, oppression and abatement, said to have been committed by the petitioner's wife. Furthermore, the charge-sheet has already been submitted in this case and further detention of the petitioner/wife is no longer necessary. The petitioner has a 18th months baby in her lap.

As such, the prayer for bail is **allowed**.

Accordingly, the petitioner is 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 District Judge, Ranaghat, Nadia subject to condition that the said petitioner shall appear before the trial Court on every date of hearing until further order and shall not intimidate witnesses 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 automatically without any reference to this Court.

The application being **CRM 2821 of 2021** accordingly **disposed of**.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)