

30.07.2021

(Via Video Conference)

Court No. 28
Item No. PB - 35
nandy

CRM 3510 of 2021

(bail - allowed)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 21.04.2021 in connection with Domjur Police Station Case No. 62 of 2021 dated 23.01.2021 under Sections 498A/302/34 of the Indian Penal Code. (G.R. Case No. 418 of 2021)

and

In the matter of: **Kajal Das @ Anita Das**

..... Petitioner

Mr. Golam Nure Imrohi, Advocate

.....for the Petitioner

Mr. Saswata Gopal Mukherjee, Learned Public Prosecutor

Ms. Faria Hossain, Advocate

Mr. Aniket Mitra, Advocate

..... for the State

The petitioner being the mother-in-law of the deceased has filed the instant application praying for bail in connection with Domjur Police Station Case No. 62 of 2021 dated 23.01.2021 under Sections 498A/302/34 of the Indian Penal Code.

We have carefully perused the case diary, specially the statement of the son of the deceased. We do not find any allegation against the petitioner made by the son of the deceased or other witnesses except that the petitioner used to physically torture the deceased. It will not be out of place to mention that the materials in the case diary shows that the husband of the deceased stand on different footing from that of the mother-in-law who has approached before us for bail.

Considering the materials in the case diary, we are inclined to release the petitioner on bail.

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

Accordingly, the petitioner shall be released on bail on the following conditions:-

- i) The petitioner shall furnish a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah;
- ii) The petitioner shall make herself available on each and every date so fixed by the trial Court;
- iii) The petitioner shall not tamper with the evidence and shall not intimidate the witnesses in any manner whatsoever;
- iv) Failure to attend the Court on a solitary day without any justifiable reason shall disentitle the petitioner the privilege of bail and the trial Court would be at liberty to cancel the bail without any reference to this Court.

The application being **CRM 3510 of 2021** accordingly **disposed of**.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)