

04.08.2021

Sl. No. 33

Srimanta

Ct. No. – 28

D/L

CRM/3653/2021

(Via Video Conference)

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 against the order dated 12.04.2021 passed by the learned Chief Judicial Magistrate (in-charge), Malda arising out of Kaliachak Police Station Case No.75 of 2021 dated 21.01.2021 corresponding to G.R. Case No.358 of 2021 for alleged offence punishable under Section 498(A)/302/34 of the Indian Penal Code.

In the matter of : . Kashmira Bibi

... petitioner.

Mr. Kazi Mokhlasur Rahman

...for the petitioner.

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

...for the State.

The petitioner is the mother-in-law of the victim lady who died by strangulation in her bedroom. The prosecution has initiated the proceeding against the petitioner and her son being the husband of the victim lady as the dead body was found in the house when only two persons were there.

After perusing the charge sheet submitted in this regard we find that the principal accused is the husband of the deceased lady and, therefore, we do not find that further custody of the petitioner is not at all necessary.

Accordingly, the petitioner, namely, Kashmira Bibi is 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 Chief Judicial Magistrate (in-charge), Malda

on condition that the petitioner shall not leave within the jurisdiction of Kaliachak Police Station, Malda where the case has been launched. However, the petitioner shall disclose her place of residence to the Officer-in-Charge of Kaliachak Police Station on being released from the Correctional Home and shall meet the Officer-in-Charge of the concerned Police Station where she would be living on every weekend and she will not tamper the evidence and intimidate the witnesses to be examined during trial. The aforesaid conditions shall be relaxed only for the purpose of attending the Court when the matter would be listed. In default of the conditions so put, it would be open to the concerned Judge to pass an appropriate order as the situation may warrant without any further reference to this Court.

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

The application being CRM 3653 of 2021 is, accordingly, **disposed of**.

(Bibek Chaudhuri, J.)

(Harish Tandon, J.)