

CRM 3982 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Patashpur Police Station Case No.453 of 2020 dated 14-12-2020 under Sections 498A/302/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

- A n d -

In the matter of : Khadi Manna

.... Petitioner.

Mr. Jayanta Narayan Chatterjee,
Mr. Aniket Mitra,
Mr. Sk. Sahajahan Ali,
Ms. Jayashree Patra

... For the Petitioner.

Ms. Faria Hossain,
Ms. Baisali Basu

... For the State.

The petitioner is the mother-in-law of the victim lady. The prosecution says that the incident occurred within six years of the marriage. There are statements of witnesses recorded under Section 161 of the Code of Criminal Procedure naming the petitioner as a person inflicting torture upon the victim.

The petitioner says that she has been falsely implicated. The father-in-law of the victim is on bail. The husband of the victim is in custody. The petitioner is 64 years old. The victim was alive after the incident for about seven days. She has not recorded any statement. The complaint was filed about 24 days after the incident took place.

We have considered the material in the Case Diary including the post mortem report and the statements of persons recorded under Section 161 of the Code. Considering the nature of allegations against the petitioner and also the

fact that the charge-sheet has been filed, we are inclined to hold that further custodial detention of the petitioner may not be necessary.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur. 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. The petitioner shall remain within the jurisdiction of the local police station.

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 his bail in accordance with law without further reference to this Court.

The application for bail being CRM 3982 of 2021 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Suvra Ghosh, J.)**

(**Arijit Banerjee, J.)**