

10.12.2021
Sl. No.157
akd
[ALLOWED]

C. R. M. 8241 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.12.2021 in connection with Santipur Police Station Case No. 780 of 2021 dated 03.10.2021 under Sections 302/120B of the Indian Penal Code.

And

In Re: **Anjona Ghosh @ Anjana Ghosh**

... .. Petitioner

Ms. Sananda Bhattacharyya

... .. for the petitioner

Mr. Madhusudan Sur .. Ld. Addl. Public Prosecutor

Mr. Manoranjan Mahata

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 67 days. Her husband died due to natural causes. She has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail and submits that the petitioner took her ailing husband to one Shyamal Bandyopadhyay, a co-accused, who is an exorcist and not a qualified doctor. There is illicit relationship between them.

We have considered the materials on record. It may or may not be true that the petitioner owing to her close association with Shyamal Bandyopadhyay had felt that he would be able to revive her husband. However, cause of death as transpiring from the post-mortem report does not disclose the same to be homicidal. In view of the aforesaid facts and circumstances of the case and bearing in mind the period of detention suffered by the petitioner, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Anjona Ghosh @ Anjana Ghosh**, be 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)