

CRM (DB) 853 of 2022

30.03.2022
Sl. 68
Court No.29
(sourav)
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Deganga** Police Station Case No. **740** of **2021** dated **04.12.2021** under Sections **498A/325/307/328/34** of the Indian Penal Code and Section **3/4** of the Dowry Prohibition Act.

And

In the matter of: **Mokaddes Mondal**

....petitioner.

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekher Saha,

...for the petitioner.

Ms. Faria Hossain,
Mr. Anand Keshari,

... for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 43 days. The husband is still in custody. The police filed charge-sheet and, therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the statement of one of the neighbours recorded under Section 161 of the Criminal Procedure Code.

The statement referred to on behalf of the State is not by a person who is the eyewitness of the incident.

The death was due to poisoning.

Considering the period of detention of the petitioner and considering the fact that the police filed charge-sheet and considering the fact that the role of the petitioner and the husband of the victim can be distinguished, we deem it appropriate to grant bail to the petitioner.

Accordingly, the petitioner be 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 Chief Judicial Magistrate, North 24 Parganas, Barasat, subject to the condition that during bail he shall appear before the learned trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail being **CRM (DB) 853 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

