

17.05.2022

Sl. 85

Court No.29

suvayan

(Allowed)

C.R.M. (DB) 1294 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Margram** P.S. Case No. **61/2022** dated **21/03/2022** under Sections **201/302/34** of the Indian Penal Code.

And

In the matter of: Sahina Bibi @ Khatun @ Sahina Khatun @
Sahinara Bibi & Ors.

....petitioners

Mr. Prosenjit Mukherjee

Mr. Arghya Kamal Das

Ms. Poulami Dutta

...for the petitioners.

Mr. Rudradipta Nandy

...for the State.

Petitioners seek bail.

Learned Advocate appearing for the petitioners submits that the victim committed suicide. The first petitioner is in custody with three months old baby. The petitioners are in custody for 55 days.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the father of the victim as also the call details recording.

The postmortem report of the victim does not depict the victim suffered any injuries apart from the injury relating to the hanging.

In the statement of the father of the victim, he claims that the victim called him up on the fateful day and told him that he was tied up by the petitioner and was beaten.

The victim died on March 4, 2022. The postmortem report states that the death was due to hanging. The body of the victim does not contain any other injuries with regard to the assault.

In such circumstances, considering the period of the detention of the petitioners and considering the fact that the first petitioner is in custody with three months old baby, we deem it

appropriate to enlarge the petitioners on bail.

Accordingly, the petitioners be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Rampurhat subject to the condition that during bail the petitioner no. 1 (*Sahina Bibi @ Khatun @ Sahina Khatun @ Sahinara Bibi*) and the petitioner no. 2 (*Rabiya Bibi @ Rabiya Bewa*) will cooperate with the investigation and the petitioner no. 3 (*Abul Sk. @ Sekh*) shall report before the Officer-in-Charge once in a fortnight till the conclusion of the trial and the petitioners shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail 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 C.R.M. (DB) 1294 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)