

30.06.2022.
09.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1563 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ratua P. S. Case No.27 of 2022 dated 17.01.2022 under Sections 302/201/120B of the Indian Penal Code.

In the matter of : Rupali Mandal @ Rupali Debi.

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Mr. Aniket Mitra.

...for the State.

Heard the learned Counsel appearing on behalf of the petitioner.

Petitioner renews her prayer for bail. He submits she is in custody for about 143 days. Investigation is complete.

In course of hearing of the case, we came to note co-accused (husband of the deceased lady) had also died and a criminal case was registered being Amdabad P.S. Case No.17 of 2022 dated 17.01.2022 under Sections 302/120B/34 of the Indian Penal Code against the relations of the deceased lady.

Under such circumstances, we directed the Officer-in-charge, Ratua Police Station to produce the Case Diary of the said case. Inspector-in-charge is present with the Case Diary.

Learned Advocate for the opposes the prayer for bail and submits weapon of offence was recovered from the petitioner.

We have considered the materials on record. There was an intimate relationship between the petitioner and the husband of the deceased who subsequently has been murdered. We have also considered the case diary of Amdabad P.S. Case No.17 of 2022 dated 17.01.2022 under Sections 302/120B/34 of the Indian Penal Code. In none of the investigation records, we note there is no material to show the petitioner was last seen with the deceased lady, Sewli Mandal. No FSL report with regard to knife seized is placed before us.

In view of the aforesaid facts and as investigation is complete, we are inclined to grant bail to the petitioner with conditions.

Accordingly, the petitioner shall 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 Additional Chief Judicial Magistrate, Chanchal, Malda subject to condition that the 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 and on further condition that the petitioner while on bail shall remain within the jurisdiction of Ratua Police Station except for the purpose of attending court proceeding and shall report to the Officer-in-charge, Ratua Police Station once in a week until further orders.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at

liberty to cancel her bail in accordance with law without further reference to this Court.

Personal appearance of the Inspector-in-charge of Ratua Police Station is noted and dispensed with. Case Diary being Amdabad P.S. Case No.17 of 2022 be returned.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)