

14.06.2022
cm/ct 28
sl no. 38

C.R.M.(DB) No. 1630 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Harishchandrapur P.S Case No. 588 of 2021** dated **11.08.2021** under Section **302** of the Indian Penal Code.
And

Rejected

In Re : Manuara Khatun @ Manwara Khatun
..... petitioner

Mr. Tapan Datta Gupta
Mr. Parvej Anam
..... for the petitioner
Mr. S.S. Imam
Mr. S. Kundu
..... for the State

Petitioner renews her prayer for bail. She is in custody for 307 days. Learned Counsel appearing for the petitioner submits that she suffers from mental illness.

Learned lawyer for the State opposes the prayer for bail

We have considered the materials on record prima facie disclosing role of the petitioner in murdering her own daughter. Mental incapacity of the petitioner was considered by a coordinate bench of this court while rejecting her bail prayer in March, 2022. There is no substantial change in circumstances since then. In view of the aforesaid facts and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

In the event the petitioner is suffering from mental illness of such nature that she is unable to understand and participate in the trial, it is open to her take appropriate steps in accordance with law, is so advised.

The application being CRM(DB) No. 1630 of 2022 is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)