

30.06.2022.
19.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2071 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P. S. Case No. 360 of 2022 dated 23.04.2022 under Sections 498A/302/34 of the Indian Penal Code.

In the matter of : Mamani Bibi & Anr.

.... Petitioners.

Mrs. Karabi Roy.

...for the Petitioner.

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

Mr. Partha Pratim Das,

Mrs. Manasi Roy.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioners are the married sisters-in-law of the victim lady. They are in custody for more than 40 days. Petitioners do not reside in the matrimonial home of the deceased.

Learned Advocate for the State opposes the prayer for bail. He submits victim had been murdered at the matrimonial home.

We have considered the materials on record including the statement of the son of the deceased. Son of the deceased does not implicate the petitioners in the murder. Allegations of torture levelled against them are general and omnibus and require to be assessed in the light of the submission that petitioners did not ordinarily reside at the matrimonial home of the victim lady.

Under such circumstances, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 petitioners 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 the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)