

05.09.2022.
17.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2795 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali P. S. Case No.632 of 2022 dated 26.06.2022 under Sections 498A/306/34 of the Indian Penal Code.

In the matter of : Rina Biswas.

.... Petitioner.

Mrs. Minoti Gomes
Mr. Asraf Mandal.

...for the Petitioner.

Mr. Debabrata Chatterjee, Id. A.P.P.,
Mr. Santanu Chatterjee,
Ms. Mousumi Sarkar.

...for the State.

Petitioner is in custody for 56 days. It is submitted she has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner had an extra marital affair with the husband of the deceased housewife who committed suicide within six months of marriage.

We have considered the materials on record. Petitioner is the sister-in-law of the victim housewife. Although there are statements that she had extra marital affair with the husband of the victim lady who is in custody, no overt act of torture is attributable to the petitioner. Whether extra marital affair without anything more would constitute abetment to suicide requires to be assessed during trial.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

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, Ranaghat, Nadia subject to condition that she 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 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.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)