

CRM 8179 of 2021
(via video conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Sankari Pramanick

.....Petitioner

Ms. Subhashree Patel
Ms. Saini Das

.....for the Petitioner

Mr. Bibaswan Bhattacharya

.....for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Ranaghat P.S. Case No. 236/2021 dated 01.08.2021 under Sections 498A/326/307 of the Indian Penal Code, adding Section 302 of the Indian Penal Code.

Ms. Patel, learned advocate appearing for the petitioner submits that the petitioner is an aged lady and the mother-in-law of the victim. There is no direct nexus of the petitioner with the alleged offence. The victim committed suicide. Upon completion of investigation, charge sheet has also been submitted and as such, further detention of the petitioner, who is in custody for about three months, is not necessary.

Mr. Bhattacharyya, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to two dying declarations and the statements of the other witnesses.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, the two dying declarations do not implicate the petitioner. It appears that the victim committed suicide. The petitioner is a lady of aged about 50 years and *prima facie*, there is also no possibility that she would flee from justice or would delay the trial by abscondence. Considering the period of incarceration, we are of the opinion that further detention of the petitioner is not warranted, moreso when upon completion of investigation, charge sheet has been submitted.

Accordingly, we allow this application and direct that the petitioner, namely, **Sankari Pramanick**, 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 a local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia. The petitioner shall attend the learned Court below on all the dates, as specified for hearing and shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

With the aforesaid observations, the application for bail, being CRM No. 8179 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)