

06.09.2022
Sl. No.12
akd
[ALLOWED]

C. R. M. (DB) 3002 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.08.2022 in connection with Arambagh Police Station Case No.189 of 2020 dated 19.05.2020 under Sections 498A/304B/302/201/34 of the Indian Penal Code. (G.R. Case No.474 of 2020)

And

In Re: ***Basanti Hembram***

... .. Petitioner

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Parthapratim Das
Ms. Eshita Dutta

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 79 days. It is further submitted petitioner is in no way related with the husband of the deceased and she has been falsely implicated in the instant case. Co-accuseds have been enlarged on bail.

Learned advocate appearing for the State opposes the prayer for bail and refers to the statement of the daughter of the deceased wherefrom it appears petitioner was present at the place of occurrence.

We have considered the materials on record. Co-accuseds similarly circumstanced with the petitioner have been enlarged on bail. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Basanti Hembram***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten

thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly subject to condition that the said 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.

In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)