

20.09.2022
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allowed

CRM(DB) No. 3179 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taldangra Police Station Case No. 42 of 2021 dated 24.05.2021 under Sections 498A/304(B) of the Indian Penal Code and charge-sheet submitted under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Sandhya Dhibar petitioner

Mr. Samiran Mandal
Mr. Abhinaba Dan

.....for the petitioner

Mr. S. S. Imam
Mr. S. Kundu

..... for the State

Petitioner renews her prayer for bail.

Learned Counsel appearing for the petitioner submits there is no progress in the matter since the last rejection of bail by this Court.

Learned Counsel appearing for the State opposes the prayer for bail and submits victim housewife was tortured. As a result, she died due to burn injuries within six years of marriage.

We have considered the materials on record. There is no direct evidence that the petitioner had set the victim housewife on fire. She was found burning in a field and not inside the house. These circumstances indicate a case of suicidal death. There is no progress since the last rejection of bail by this Court. There is no possibility of abscondence.

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

Accordingly, we direct that the petitioner shall 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 Chief Judicial Magistrate, Bankura, subject to the condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/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 the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)