

28.09.2022.
23. SL
as
(Allowed)

C.R.M. (DB) 3288 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Amta P. S. Case No.230 of 2021 dated 20.08.2021 under Section 304 of the Indian Penal Code.

In the matter of : Najima @ Najema Begum.
.... Petitioner.

Mr. A. Ghosh.
...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De.
...for the State.

It is submitted the victim is the husband of the petitioner. He misbehaved with her in drunken condition. Incident occurred in the course of a quarrel. Accordingly, she prays for bail.

Learned Advocate for the State opposes the prayer for bail.

Bearing in mind the extenuating circumstances leading to the incident and the fact that petitioner is a lady and investigation is complete, we are inclined to grant bail to her.

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, Uluberia, Howrah 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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)