

10.11.2022.
23.
as
(Allowed)

C.R.M. (DB) 3445 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranitala P. S. Case No.245 of 2021 dated 27.06.2021 under Sections 498A/302/34 of the Indian Penal Code and charge sheet submitted under Sections 498A/304B/306/34 of the Indian Penal Code.

In the matter of : Tagora Bibi @ Tgara Bibi.
.... Petitioner.

Mr. S. Das Mahapatra,
Mr. Ali Ahsan Alamgir,
Ms. Soma Mal.
...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Mr. Aniket Mitra,
Ms. Jonaki Saha.
...for the State.

Learned Advocate for the State submits report enclosing order passed by the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad and other documents.

From the materials placed before us, it appears that the mother of the deceased was unwilling to take custody of her grand daughter. Other relations of the child were also unwilling to take her custody. As a result, child has been kept under the supervision of Child Welfare Committee, Murshidabad at Beldanga Bharitathi Seva Sadan, Berhampore, Murshidabad.

Petitioner is in custody for 114 days. She is the mother-in-law of the deceased housewife. Incident occurred about five years after marriage. Deceased was found hanging along with her son aged one year. Post mortem report shows that the

death was due to hanging and ante mortem in nature. It is unclear whether the deceased-housewife had been murdered. Husband of the housewife committed suicide in the correctional home. Co-accused viz., father-in-law is untraceable. There is no progress in the case since earlier rejection of bail by this Court.

Under such circumstances, 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, Lalbagh, Murshidabad 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.)

