

13.10.2022
cm/rkb
ct 28
sl no. 58

C.R.M. (DB) 3591 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Minakhan P.S. Case No. 291 of 2021 dated 08.10.2021 under Sections 498A/302/34 of the Indian Penal Code.

Allowed

In Re : Habiba Khatun @ Ummay Habiba Khatun.

..... petitioner

Mr. Satadru Lahiri
Mr. Safdar Azam

..... for the petitioner

Mr. Arijit Ganguly
Mr. Aniket Mitra

..... for the State

Petitioner is in custody for 86 days. It is contended that co-accuseds are on bail and investigation is complete.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. There is no direct evidence connecting the petitioner with the murder. Co-accuseds are on bail.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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, Basirhat, North 24-Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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

The application being CRM(DB) No. 3591 of 2022 is disposed of.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)