

05.12.2022
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allowed

CRM(DB) No. 4258 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola Police Station Case No. 381 of 2022 dated 01.06.2022 under Sections 302/34 of the Indian Penal Code.

And

In Re : Mahara Bibi @ Manowara Bibi petitioner

Mr. Ali Ahsan Alamgir

Ms. Soma Mal

Ms. Rabia Khatoon

Mr. Karnel Mondal

.....for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Bibaswan Bhattacharya

..... for the State

Learned Counsel appearing for the petitioner submits she is the wife of the deceased. Petitioner in custody for 187 days. She prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. There is no eye-witness to the incident. Incident occurred inside a room which was locked from inside. Under such circumstances and in view of the period of detention suffered by the petitioner and as she is a lady, we are inclined to grant bail to her.

Accordingly, we direct that the petitioner viz. Mahara Bibi @ Manowara Bibi 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 petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)