

17.03.2023.
18.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 381 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Panchla P. S. Case No.187 of 2020 dated 16.08.2020 under Sections 302/120B of the Indian Penal Code and charge sheet submitted under Section 302 of the Indian Penal Code.

In the matter of : Monira Mullick @ Moni Nara Mullick.
.... Petitioner.

Ms. Minoti Gomes,
Mr. Musharraf Alam Sk.,
Ms. Susmita Ghorai.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Arani Bhattacharyya.

...for the State.

Report is placed on record. Report shows petitioner was suffering from psychiatric illness. Presently, she is psychologically fit.

The aforesaid report probalilises the defence of the petitioner that she was labouring from mental illness at the time of occurrence. This issue requires to be adjudicated during trial.

In view of the aforesaid facts and circumstances of the case, period of detention suffered by the petitioner i.e. 1084 days and since there is hardly any progress in the matter since rejection of bail by this Court in July, 2022, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Monira Mullick @ Moni Nara Mullick 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 Chief Judicial Magistrate, 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.)