

06.02.2023.
33.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 445 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shibpur P. S. Case No.282 of 2022 dated 01.09.2022 under Sections 302/34 of the Indian Penal Code.

In the matter of : Tarana Parveen.

.... Petitioner.

Mr. Achin Jana,
Mr. Suman Chakraborty,
Mr. Prosenjit Ghosh,
Ms. Nazia Hena.

...for the Petitioner.

Ms. Faria Hosain,
Mr. Anand Keshari.

...for the State.

Petitioner is in custody for 155 days. It is submitted she is not the principal accused. She prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Instant case portrays a distressing state of affairs. A minor girl cohabited with one Aman Iqbal. She became pregnant. Aman Iqbal refused to marry her. From her statement it appears out of despair she had thrown the child from the window. These circumstances do not corroborate the version of the complainant that petitioner who is the mother of the minor girl had collaborated with her to murder the child.

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

Accordingly, the petitioner viz., Tarana Parveen 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 Sessions' Judge, 2nd Court, 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.)